

5/4/78 [1]

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PRESIDENT JIMMY CARTER

BRADLEY CENTER SENIOR CITIZEN FEEDING PROGRAM

MAY 4, 1978

GOVERNOR BROWN, ... MAYOR BRADLEY, ... ^{CONG HAWKINS} LIEUTENANT GOVERNOR DYMALLY, ...
ASSEMBLYWOMAN WATERS, ... SUPERVISOR HAHN, ... DIRECTOR WATKINS, ...

LADIES AND GENTLEMEN:

IT'S BEEN ALMOST TWO YEARS SINCE I WAS HERE TO
DEDICATE THE MARTIN LUTHER KING HOSPITAL.

AND TWO YEARS AGO THIS MONTH I SPOKE HERE AT THE
NUTRITION CENTER DURING THE CALIFORNIA PRIMARY.

A LOT HAS HAPPENED TO ME SINCE THEN, AND I SAW
AS WE CAME OVER HERE PAST THE FRANKLIN SQUARE "MOVE-ON"
HOUSING, THAT SOME THINGS HAVE BEEN HAPPENING HERE IN WATTS,
TOO.

I KNOW WATTS HAS ITS SHARE OF PROBLEMS, BUT YOU
ALSO HAVE A LOT OF THINGS GOING FOR YOU.

--YOU HAVE GUS HAWKINS . . .

YOU HAVE GUS HAWKINS (WITH WHOM I AM WORKING TO
PASS THE HAWKINS-HUMPHREY BILL),...AND TOM BRADLEY,....
AND YOU HAVE TED WATKINS MAKING THINGS HAPPEN RIGHT HERE
IN WATTS.

YOU HAVE THE LARGEST PERCENTAGE OF HOMEOWNERS IN
ANY URBAN BLACK COMMUNITY IN THE COUNTRY.

AND YOU HAVE PEOPLE -- LIKE ELVERT HUDSON AT THE
BROADWAY FEDERAL SAVINGS AND LOAN -- WHO CARE ENOUGH TO
SEE THAT 90 PERCENT OF THE LOANS FROM YOUR DEPOSITS GO
TO PEOPLE IN YOUR COMMUNITY.

OTHER FINANCIAL INSTITUTIONS HAVE JOINED TO PROVIDE
STORE-FRONT MORTGAGE COUNSELING AND TO FUND THE HOPE PROGRAM.

MAYOR BRADLEY IS JUSTIFIABLY PROUD OF WHAT HOPE DOES.

LIKE MOST INNER-CITY NEIGHBORHOODS, WATTS HAS
PROBLEMS WITH RED-LINING.

WITH MY STRONG SUPPORT, THE FEDERAL HOME LOAN BANK
BOARD HAS ISSUED TOUGH NEW RULES WHICH WILL HELP END
RED-LINING THROUGHOUT THE COUNTRY.

WE'VE DOUBLED HOUSING REHABILITATION FUNDS AND
ADDED MONEY TO BUILD MORE NEW HOUSING FOR LOW AND MODERATE
INCOME FAMILIES.

WE'VE CUT FHA DOWN-PAYMENTS AND INCREASED MORTGAGE
INSURANCE FUNDS TO MAKE IT EASIER FOR MODERATE-INCOME
PEOPLE TO BECOME HOMEOWNERS.

OUR 1979 BUDGET PROPOSED 25 PERCENT MORE AID TO
STATE AND LOCAL GOVERNMENTS THAN WHEN I TOOK OFFICE,...
AND 65 PERCENT MORE FOR ECONOMIC DEVELOPMENT ADMINISTRATION
GRANTS.

The new urban policy...

--WE'VE ADDED \$12.4 BILLION . . .

WE'VE ADDED \$12.4 BILLION OVER THE NEXT THREE YEARS
FOR COMMUNITY DEVELOPMENT BLOCK GRANTS, CONCENTRATING ON
DISTRESSED COMMUNITIES.

THE NEW URBAN POLICY WHICH I RECENTLY ANNOUNCED
WILL FURTHER AID AREAS LIKE WATTS.

IT WILL:

-- PROVIDE EMPLOYMENT TAX CREDIT AND EXPANDED TRAINING
SUBSIDIES TO ENCOURAGE PRIVATE INDUSTRY TO HIRE THE
HARD-CORE UNEMPLOYED;

-- PROVIDE LOW INTEREST LOANS THROUGH A NEW NATIONAL
DEVELOPMENT BANK, EXPANDED ECONOMIC DEVELOPMENT GRANTS, AND
A SPECIAL INVESTMENT TAX CREDIT TO BUSINESSES WHICH
LOCATE IN AREAS LIKE WATTS;

-- PROVIDE DIRECT FUNDING TO NEIGHBORHOOD GROUPS
AND ORGANIZATIONS, LIKE THOSE IN WATTS, FOR COMMUNITY
CRIME CONTROL, HOUSING REHABILITATION AND NEIGHBORHOOD
DEVELOPMENT AND SELF-HELP EFFORTS.

OUR URBAN POLICY WILL STRENGTHEN MINORITY BUSINESS.

I HAVE ASKED EACH AGENCY TO DEVELOP SPECIFIC GOALS
AND TIMETABLES FOR MINORITY BUSINESS INVOLVEMENT IN ALL
CONTRACT AND GRANT AWARDS THEY MAKE.

I HAVE PLEGGED TO MORE THAN DOUBLE FEDERAL
PROCUREMENT FROM MINORITY BUSINESSES.

ONLY TWO WEEKS AGO BOB KEMP BEGAN HIS DUTIES AS THE
NEW EXECUTIVE DIRECTOR OF THE INTER-AGENCY COUNCIL FOR
MINORITY BUSINESS AND HE WILL HELP SEE THAT WE MEET OUR
PROCUREMENT GOALS.

UNTIL WE CALLED HIM TO WASHINGTON, AS YOU KNOW,
BOB WAS PRESIDENT OF THE ECONOMIC RESOURCES CORPORATION,
WHICH BUILT THE WATTS INDUSTRIAL PARK.

THE PARK HAS BROUGHT IN MORE THAN 900 NEW JOBS
ALREADY AND WILL ADD SEVERAL HUNDRED MORE IN THE NEXT
12 MONTHS -- 80 PERCENT OF THEM FOR LOCAL RESIDENTS.

--THE INDUSTRIAL PARK, . . .

THE INDUSTRIAL PARK, LIKE THE LABOR ACTION COMMITTEE
PROJECTS, AND THIS CENTER, REPRESENT THE KIND OF DEVELOPMENT
INNER-CITY NEIGHBORHOODS NEED.

LOCAL PEOPLE HAVE GOTTEN TOGETHER AND BROUGHT IN BIG
NATIONAL COMPANIES AND DOZENS OF SMALLER FIRMS TO CREATE
A BROAD AND EXPANDING ECONOMIC BASE.

YOU INCLUDED A DAY-CARE CENTER TO SERVE WORKERS
AND THE COMMUNITY.

PROJECTS LIKE THESE SHOW WHAT A COMMUNITY CAN DO
FOR ITSELF -- WITH THE RIGHT KIND OF HELP FROM THE
GOVERNMENT -- TO MEET SOME OF ITS NEEDS FOR JOBS, HOUSING,
DAY CARE AND SENIOR CITIZENS SERVICES.

IT WAS THIS SPIRIT OF COOPERATION FOR THE COMMON
GOOD THAT MOVED DR. MARTIN LUTHER KING, JR., AND ROSA PARKS
AND ALL THE OTHER AMERICANS, BLACK AND WHITE, WHO DID SO
MUCH TO FREE THIS NATION FROM THE ANCIENT EVIL THAT HAD
DIVIDED AND WEAKENED US FROM THE BEGINNING.

MARTIN LUTHER KING UNDERSTOOD THAT THE POLITICAL
AND SOCIAL JUSTICE THEY HAD FINALLY WON MUST BUILD TOWARD
ECONOMIC JUSTICE.

HE DIED TRYING TO MAKE THAT DREAM REALITY FOR THE
GARBAGE WORKERS OF MEMPHIS.

WHEN I WAS HERE NEARLY TWO YEARS AGO TO DEDICATE A
HOSPITAL TO HIS MEMORY, I TOLD YOU THAT WE STILL HAVE
MARTIN LUTHER KING'S DREAM AND YOUR DREAM AND MY DREAM.

I TOLD YOU WE MUST GIVE OUR GOVERNMENT BACK TO OUR
PEOPLE.

I SPOKE OF A NEW ERA OF HONEST, COMPASSIONATE,
RESPONSIBLE GOVERNMENT -- OF AN AMERICA WITH A TAX SYSTEM
THAT DID NOT CHEAT THE AVERAGE CITIZEN AND GIVE TO THE
RICH -- OF A TIME WHEN THERE WAS A JOB FOR EVERY MAN AND
WOMAN WHO WANTED TO WORK AND A DECENT STANDARD OF LIVING
FOR THOSE WHO COULD NOT WORK --

I've tried to fulfill those...

-- AND A TIME WHEN MY CHILD...

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EVERY CHILD WOULD RECEIVE AN EDUCATION SECOND TO NONE
IN THE WORLD.

I'VE TRIED TO FULFILL THOSE DREAMS -- THROUGH NEW
JOB PROGRAMS, THROUGH INCREASED FUNDING FOR EDUCATION,
AND THROUGH CHILD HEALTH PROGRAMS.

WE'VE MADE PROGRESS -- THE UNEMPLOYMENT RATE IS
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SOMETIMES OUR SYSTEM MOVES SLOWLY, DESPITE THE
BEST INTENTIONS.

AND THERE ARE POWERFUL LOBBIES TRYING TO KEEP CONGRESS
FROM ACCEPTING SOME OF THE CHANGES WE NEED TO ATTACK THE
LONG-TERM PROBLEMS THAT HAVE BUILT UP OVER THE YEARS --
ENERGY AND INFLATION, SOARING HOSPITAL COSTS, WELFARE
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ALL THESE THINGS TOUCH MOST CRUELLY THE LIVES OF
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Electronically Copy Made
for Preservation Purposes

PRESIDENT JIMMY CARTER

DENVER AIR AND ENERGY ANNOUNCEMENT

MAY 4, 1978

SENATOR HART,...SENATOR HASKELL,...REPRESENTATIVE
WIRTH,...REPRESENTATIVE SCHROEDER,...

1

LADIES & GENTLEMEN:

MAYOR M E NICHOLS

DURING THE PAST DECADE, AMERICANS HAVE BECOME
DRAMATICALLY MORE AWARE OF TWO MOMENTOUS PROBLEMS --
THE PROBLEM OF THE ENVIRONMENT AND THE PROBLEM OF ENERGY.

IT IS NO ACCIDENT THAT THESE TWO GREAT ISSUES
BECAME PROMINENT AT ABOUT THE SAME TIME.

OUR USE AND ABUSE OF ENERGY HAS LED TO MANY OF
THE INJURIES OUR AIR, WATER, AND SOIL HAVE SUFFERED.

AND OUR GROWING CONSCIOUSNESS OF THE ENVIRONMENT
HAS HELPED US UNDERSTAND THAT WE MUST DEVELOP AND USE
ENERGY FAR MORE CAREFULLY THAN WE DID BEFORE.

-- TODAY I AM PLEASED TO ANNOUNCE . . .

TODAY I AM PLEASED TO ANNOUNCE TWO IMPORTANT
INITIATIVES THAT WILL HELP US TO LIVE AT PEACE WITH OUR
ENVIRONMENTAL NEEDS AND OUR ENERGY NEEDS: THE DENVER AIR
PROJECT AND A NEW FIVE-YEAR PROPOSAL FOR INLAND ENERGY
IMPACT ASSISTANCE.

ALMOST ALWAYS

NOT LONG AGO IN DENVER YOU COULD SEE THE MOUNTAINS
AND DRAW A DEEP BREATH WITH PLEASURE AND SAFETY.

BUT TODAY, A BROWN CLOUD OF DANGEROUS POLLUTION
FREQUENTLY HIDES THE MOUNTAINS AND INVADES THE LUNGS
OF THE PEOPLE OF THIS CITY.

BECAUSE OF THE GREAT RESOURCES OF THE ROCKY MOUNTAIN
PLAINS REGION -- ENERGY, MINERAL, AND RECREATIONAL --
DENVER HAS BEEN GROWING TWO AND ONE-HALF TIMES FASTER THAN
THE NATION AS A WHOLE.

+ WASH → 2000

AND CAR USE HERE HAS GROWN EVEN FASTER THAN THAT --
IN FACT, DENVER HAS MORE CARS PER CAPITA THAN ANY OTHER
METROPOLITAN AREA.

THE RESULT HAS BEEN PROSPERITY -- AND PROBLEMS.
DENVER HAS THE WORST CARBON MONOXIDE PROBLEM IN
THE NATION -- THREE TIMES WORSE THAN NATIONAL HEALTH
STANDARDS PERMIT.

HC - SOx - PART

OTHER POLLUTANTS ENDANGER YOUR AIR.

THE DENVER AIR PROJECT WILL GREATLY IMPROVE THE
COORDINATION OF 25 DIFFERENT FEDERAL ACTIVITIES THAT
RELATE TO AIR POLLUTION IN THE METROPOLITAN AREA.

THE PROJECT WILL MAKE AN ADDITIONAL \$15 MILLION
AVAILABLE FOR SUCH ACTIVITIES AS TRANSIT-RELATED CONSTRUCTION,
VAN POOL PROJECTS, FREE OFF-PEAK BUS SERVICE, ELECTRIC CAR
USE, AND EFFORTS TO PREVENT TAMPERING WITH ANTI-POLLUTION
DEVICES ON AUTOMOBILES.

UP TO \$42 MILLION MAY BE MADE AVAILABLE AS THIS
PROJECT DEVELOPS.

IN ADDITION, A SEPARATE \$16 MILLION URBAN MASS
TRANSIT GRANT FROM THE DEPARTMENT OF TRANSPORTATION WILL
ALSO GO TO IMPROVE BUS SERVICE.

I BELIEVE WE CAN DEAL WITH THE PROBLEM NOT THROUGH
HEAVY-HANDED GOVERNMENT PROHIBITIONS, BUT RATHER THROUGH
A POSITIVE DEMONSTRATION OF HOW FEDERAL, STATE AND LOCAL
RESOURCES CAN BE BROUGHT TO BEAR IN A COORDINATED WAY.

FED REG
COUNCIL - BETTY
MILLER
ALAN MERCEN EPA

DENVER'S POLLUTION PROBLEM IS DECENTRALIZED --
IT IS CAUSED NOT BY A FEW BIG INDUSTRIAL PLANTS, BUT BY
HUNDREDS OF THOUSANDS OF INDIVIDUAL VEHICLES.

THAT MEANS THAT EVERYONE MUST HELP DEAL WITH THE
PROBLEMS, AND I AM CONFIDENT THAT THE PEOPLE OF DENVER
WILL RESPOND WITH SUPPORT FOR THE EFFORTS THAT WILL BE
MADE UNDER THE DENVER AIR PROJECT.

PLEDGE
CARDS →

BUT THE DESIRE OF PEOPLE FOR A HEALTHY
ENVIRONMENT -- WHILE MEETING OUR ENERGY NEEDS --
IS NOT UNIQUE TO URBAN AREAS.

PLACES LIKE THE WESTERN SLOPE OF COLORADO AND THE
COAL FIELDS OF WEST VIRGINIA WILL PLAY A MAJOR ROLE
IN HELPING OUR COUNTRY MEET PRESSING DEMANDS FOR
ALTERNATIVES TO OIL AND NATURAL GAS.

WHEN I ANNOUNCED MY COMPREHENSIVE NATIONAL ENERGY
PLAN, I PROMISED THAT NO STATE, NO COMMUNITY, AND NO
INDIAN TRIBE WOULD BE FORCED TO BEAR AN UNFAIR SHARE OF
THE BURDEN OF MEETING OUR ENERGY NEEDS.

WE RECOGNIZED THE DISRUPTION OF RURAL COMMUNITIES
WHICH RAPID DEVELOPMENT OF NEW ENERGY SOURCES CAN CAUSE.

THE "BOOM AND BUST" SYNDROME IN COMMUNITIES SUCH
AS CRAIG MUST NOT CONTINUE.

MY ADMINISTRATION, GOVERNOR LAMM, AND GOVERNORS
OF OTHER WESTERN AND APPALACHIAN STATES JOINED WITH
COMMUNITY AND TRIBAL LEADERS IN A TASK FORCE TO
DETERMINE WHAT ADDITIONAL FEDERAL ASSISTANCE WAS NEEDED
TO HELP COMMUNITIES OVERCOME THE PROBLEMS CAUSED BY
EXTRAORDINARY ENERGY-RELATED GROWTH.

SENATORS HART AND HASKELL HAD ALREADY DONE MUCH
OF THE SPADEWORK THROUGH HEARINGS AND LEGISLATIVE
PROPOSALS. CONG WIRTH & SCHROEDER
ENTHUSIASTIC SUPPORTERS

THEIR WORK IS REFLECTED IN THE NEW PROPOSAL FOR
INLAND ENERGY IMPACT ASSISTANCE WHICH I AM ANNOUNCING
TODAY.

THIS PROPOSAL, WHICH SENATOR HART HAS AGREED TO
INCORPORATE INTO HIS BILL, RECOGNIZES THAT NO ONE WANTS
RAMPANT, UNCONTROLLED GROWTH WHICH DESTROYS THE NATURAL
ENVIRONMENT, DISRUPTS ESTABLISHED PATTERNS OF LIFE, AND
LOCKS COMMUNITIES INTO EXPENDITURES WHICH THEY CANNOT
AFFORD.

IT ALSO RECOGNIZES THAT ECONOMIC BENEFITS --
NEW JOBS AND NEW TAX REVENUES -- CAN RESULT FROM NEW
DEVELOPMENT WHICH IS PROPERLY PLANNED.

MY PROPOSAL IS PREDICATED ON A STRONG PARTNERSHIP
WITH THE STATES -- RECOGNIZING THAT THEY CAN BETTER SET
PRIORITIES AND POLICIES WHICH WILL ASSIST COMMUNITIES --
WHILE MAKING SURE THAT THOSE WHO BENEFIT FROM NEW
DEVELOPMENT PAY THEIR SHARE OF THE COSTS.

-- THIS LEGISLATION WILL ESTABLISH . . .

THIS LEGISLATION WILL ESTABLISH A FIVE-YEAR
PROGRAM OF ENERGY IMPACT ASSISTANCE TO INLAND AREAS WHICH
WILL BE FUNDED ^{BY} ~~AT~~ \$675 MILLION IN DIRECT FEDERAL GRANTS.

IT ALSO PROVIDES UP TO \$1.5 BILLION IN LOAN GUARANTEES
TO STATES AT SUBSIDIZED INTEREST RATES.

THE ECONOMIC DEVELOPMENT ADMINISTRATION WILL
ADMINISTER THIS PROGRAM AND GIVE IMPACTED AREAS ONE PLACE
TO TURN FOR ASSISTANCE.

UNDER THIS PROPOSAL STATES AND LOCAL COMMUNITIES
WILL BE GUARANTEED A TIMELY VOICE IN FEDERAL DECISION-MAKING
RELATED TO ENERGY DEVELOPMENT WITHIN THEIR JURISDICTIONS.

THE FEDERAL GOVERNMENT WILL JOIN WITH STATES AND
COMMUNITIES TO ASSESS MORE FULLY THE NEEDS FOR FACILITIES
AND SERVICES RELATED TO ENERGY DEVELOPMENT.

THE STATES AND LOCAL GOVERNMENTS, IN TURN, MUST BE
ABLE TO PLAN FOR ENERGY DEVELOPMENT, AND TO GRADUALLY
INCREASE THEIR OWN CONTRIBUTION TO MEETING IMPACT NEEDS.

THIS NEW PROGRAM IS BOTH COMPREHENSIVE AND FLEXIBLE
ENOUGH TO LET STATES TAILOR IMPACT ASSISTANCE PROGRAMS TO
THEIR SPECIFIC NEEDS.

SENATOR HASKELL, ALONG WITH MEMBERS OF THE
CONGRESSIONAL DELEGATION FROM THE APPALACHIAN STATES,
HAS LABORED LONG AND HARD ON AN IMPACT ASSISTANCE PROGRAM
AIMED PRINCIPALLY AT HOUSING.

WHILE I BELIEVE THE NEW PROGRAM MEETS ALL ENERGY
IMPACT NEEDS, NOT JUST HOUSING, I WOULD NOT OBJECT TO
CONGRESS DESIGNATING SOME OF THESE NEW FUNDS FOR THE
ALTERNATIVE HOUSING PROGRAM.

-- THE COOPERATION AND EXPERTISE . . .

^{KNOWLEDGE}
THE COOPERATION AND ~~EXPERTISE~~ WHICH I HAVE

FOUND AMONG THE GOVERNORS, KEY MEMBERS OF CONGRESS, AND
REPRESENTATIVES OF INDIVIDUAL COMMUNITIES AND TRIBES
HAS PAID OFF.

I BELIEVE THAT WORKING TOGETHER, WE CAN ENACT
LEGISLATION THIS YEAR WHICH WILL GIVE ENERGY-IMPACTED
AREAS THE HELP THEY NEED SO MUCH.

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Draft--5/2/78

President Williams, President-elect Taylor,
distinguished members of the Los Angeles County Bar,
ladies and gentlemen:

I would like to begin with a quote from a book
published in 1852.

"Jarndyce and Jarndyce drones on. This scarecrow of a suit has, in course of time, become so complicated that no man alive knows what it means. . . . Innumerable children have been born into the case; innumerable young people have married into it; innumerable old people have died out of it. . . . whole families have inherited legendary hatreds with the suit. . . . There are not three Jarndyces left upon the earth perhaps since old Tom Jarndyce in despair blew his brains out at a coffee-house in Chancery Lane; but Jarndyce and Jarndyce still drags its dreary length before the court, . . ."

That quotation comes from Bleak House, and although Charles Dickens (~~who was a court reporter~~) was writing about a chancery suit in London long ago, he could have been writing about a modern antitrust suit in federal court. His subject was the same one that should preoccupy

us now -- ^{insuring} ~~how we can be sure~~ that our legal system serves
the ends of justice.

I am not a lawyer, but there is no question that
has concerned me more throughout my adult life than that
of human justice. ^{-- striving to help} ~~How can we~~ alleviate the inequalities,
the unfairness, the chance differences of fortune that
~~always~~ exist among people, and ^{help} to ensure that all
people possess the basic material and political rights
they need for full participation in the life of ^{our} ~~their~~
society.

^{often}
I grew up in a community that ^{often} did not provide
simple justice for a majority of our citizens because
of the divisions of privilege between those who owned
land and those who did not, the divisions of power
between those who controlled the political system and
those who were controlled by it, the wall of discrimination
that separated blacks and whites.

As a Governor and as President I have learned
as Reinhold Niebuhr said,
that "it is the sad duty of politics to establish
justice in a sinful world." I am trying to carry our
nation's message of basic justice and human rights to
other nations.

But I know that we cannot speak ~~[without hypocrisy]~~
of human rights in other countries unless we are doing
our utmost to protect the rights of our own people here
at home.

Let me tell you about some of the things that
concern me.

~~[pause]~~

* On the last day of the Administration of Lyndon
Johnson, the government filed an antitrust suit against
company
a major computer ~~manufacturer~~. Nine years have passed;

three new Administrations have taken office; hundreds of millions of dollars have been spent on legal fees.

But still the trial is not nearly over, and ~~both sides~~ *it has been speculated that* ~~fear that~~ the judge who has supervised it for the last

nine years may die or retire before the trial is completed,

in which case it would start all over again. *Generations* ~~No computer~~ *of computers have come and gone -- but still* now being sold was in existence when the case began. A

The case goes on. ~~previous case involving telephone patents took thirty~~

~~years.~~ I am worried about a legal system in which expensive talent on both sides produces interminable delay -- especially when delay itself can often mean victory for one side.

Justice should not be forced to obey the timetables of those who seek to avoid it.

[pause]

* I have inspected many prisons and I know that nearly all inmates are drawn from the ranks of the

powerless and the poor. A child of privilege ^{frequently} ~~almost~~
~~always~~ receives the benefit of the doubt; a child of
poverty seldom does. In many courts plea-bargaining
serves the convenience of the judge and lawyers, not the
ends of justice, ~~I know that 90% of all criminal cases~~
~~are handled that way,~~ because the courts lack the time
to give everyone a fair trial.

* We have ~~in this country~~ the heaviest concentration
of lawyers on earth -- one for every 500 Americans.
That is three times more than in England, four times more
than in Germany, 21 times more than in Japan. We have
more litigation; but I am not sure we have more justice.
No resources of talent and training in our society, not
even medical care, is more wastefully or unfairly
distributed than legal skills. Ninety percent of our
lawyers serve ten percent of our people. We are

over-lawyered, and under-represented.

and legal featherbedding

* Excessive litigation is encouraged. Non-contested
become major legal confrontations. Complete
divorces ~~go to court.~~ Title searches on the same property

are unnecessarily repeated with each sale. *Routine car accident cases clog our courts where* No-fault

The number of
automobile insurance is opposed. Medical malpractice

cases
~~claims~~ skyrocket. Mahatma Gandhi, who was himself a

very successful lawyer, said of his profession that

"lawyers will as a rule advance quarrels rather than

repress them." We do not serve justice when we encourage

disputes in our society, rather than resolving them.

* In my own region of the country, ~~I saw many~~
of great influence and prestige led
lawyers ~~led~~ the fight against civil rights and economic
justice; ~~especially those who occupied positions of great~~
~~influence and prestige within their profession, and some~~
~~were considered outcasts.~~ They were paid lavish fees
by their states and heaped with honors for their efforts.

They knew all the maneuvers, and for too long they kept the promises of the Constitution from coming true.

The basic right to vote, to hold a job, to buy a home, to be informed of one's rights when arrested, to have legal counsel if an indigent -- these rights have been denied for generations, and are being recently won only after intense struggle.

I think about these things when I come to speak with ^{you} ~~lawyers~~. What I think about most is the enormous potential for good within the legal profession, and how often that potential is not used. More than any other nation, ours was created out of respect for the law. We had the first written Constitution; we proclaimed ourselves a government of laws, not of men; we put our faith in interpretations of the laws to ^{slow} resolve our most basic disputes.

None of us would change our system of laws and justice for any other in the world. From the beginning, it made the citizens the masters of the State, and it has extended increasing protection to the poor and the victims of discrimination.

It is because of the enormous power of the law, and of the position of great influence and privilege which lawyers occupy within our society, that lawyers bear such a heavy obligation to serve the ends of true justice. I know that you understand these obligations. During the last generation, many of our ^{most important} advances toward racial integration ^{and} protection of ^{our} the people against government abuse have been made through the courts.

Challenges we all should

But let me mention briefly four ~~areas where you may~~ ^{improve} *face* do more in order to ~~serve~~ justice *in America;*

First,

--in making criminal justice fairer, faster,
more sensible, and more certain;

Second,

--in holding the law to the highest standards of
impartiality, honesty, and fairness;

Third,

--in ensuring that access to the legal system
does not depend on political influence or economic power;
and

Fourth,

--in reducing our over-reliance on litigation,
and speeding up those cases that are litigated.

Our starting point in ensuring justice is to
reduce crime through measures that are effective and fair.

There was encouraging progress in this direction
last year, when the volume of ~~serious~~ crime fell by

four percent below its 1976 level. As the first significant drop in several years it is a welcome development, but it does not change the urgent need to control crime. States and local governments must ~~always~~ take the lead in this effort, but the Federal government ~~will~~ ^{must} do its part:

^{should}
-- We ~~can~~ streamline the Federal criminal code, which now contains many provisions which overlap, duplicate one another, are inconsistent, and need updating. ~~These efforts have been underway for 12 years,~~

~~now,~~ ^W With the leadership of Senators Eastland and ^{and the late Senator McClellan, a 12 year effort} Kennedy, ~~they have passed the Senate.~~ I hope the ^{recently culminated} House will pass ^{in Senate passage} ~~it~~ ^{of a new criminal act.} this year.

^{are working with Congressional leadership}
-- We ~~can~~ reorganize the Law Enforcement Assistance

Administration [[] ~~including the establishment of a~~

glance over
~~National Institute of Justice]~~ to ensure that our

funding system is ~~geared~~ to our most pressing needs, *to*

provide better support to state and local
~~that we provide better information to states and local~~

to
governments, and ~~that we~~ concentrate our help on improving

the criminal justice system and reducing crime. I will

also propose a consolidation and reorganization of many

of the functions performed by ~~the~~ more than ¹⁰⁰~~110~~ Federal

agencies that now have responsibility for law enforcement.

-- We can reduce the tremendous overload on our
criminal justice system by removing such crimes as
drunkenness and vagrancy from the courts, thereby
freeing the courts to deal with serious offenses and
enabling us to treat these social illnesses in ways that
offer a greater hope of success.

I am supporting

-- ~~We can create~~ uniform sentencing standards for

Federal offenses, which will make the punishment for

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crimes ~~both~~ rational and fair and will help ensure that

the rich and poor are treated alike.

-- Powerful white-collar criminals cheat consumers of millions of dollars; public officials who abuse their high rank damage the integrity of our nation in profound and long-lasting ways. But too often these big-shot crooks escape the full consequences of their acts.

Justice must be blind to rank, power, and position.

The Justice Department is undertaking a major new effort on white-collar crime.

I have decided

-- ~~The~~ Justice Department ~~can~~ *to* review our prison

policy, and propose alternatives to incarceration, such as station-house citations, supervised release, work-release programs, and other community-based facilities.

I urge judges and lawyers to use their enormous influence to make these efforts a success.

* * *

Our second challenge is to see that our legal system lives up to its noblest tradition of honesty, *and* impartiality, ^{so} ~~and~~ that all people stand equal before the bar of justice.

-- One of the most important steps we can take to restore public confidence in our system of justice is to assure that government decisions are thoroughly impartial, and that personal interests and influence have no part. I ^{have} ~~required~~ all major appointees, as a condition of accepting office, to disclose their personal financial interests. I ^{have} ~~also required~~ them to pledge that, after their term of public service is over, they would

Prezo

forbear all contacts with their former agency for one year.

-- Last year I proposed legislation to make these standards a permanent part of the law. In its current form, this ethics legislation would extend similar standards to the legislative and judicial branches. It has already passed the Senate and cleared the Rules Committee in the House. I hope the full House will act without delay.

-- Last week the House passed a bill I supported requiring ~~that~~ those organizations which do significant lobbying of Congress to disclose their activities to the public. Although lobbying is a constitutionally protected activity, the American people have a right to know what major forces are affecting the legislative process. I

hope the Senate will follow the lead of the House and pass a lobby reform bill.

Law enforcement agencies must set a clear example in their respect for the law. Recently, as the number of ~~illegal~~/undocumented/alliens has grown, there has been a disturbing trend, ~~which your own bar association has studied~~, toward routine police harrassment of our Mexican-American citizens. *I know your bar association has studied this problem.*

Last month, the Justice Department intervened in *a harassment* ~~one such~~ case in Texas, where three policemen had been convicted in the death of a Mexican-American ~~prisoner~~. Joe Campos Torres In filing for a review of the one-year jail terms given to the men, the Department said that "the public perception of inequality and the belief that the life of a Mexican-American citizen has little value can only do damage to respect for the laws and belief in justice."

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Harrassment must stop, and my Administration will
do what ^{it can} ~~is necessary~~ to see that it does. ^{Moreover,} ~~we~~ have

submitted legislation to Congress which will help stop
the flow of illegal immigration while fully protecting
the rights of our Hispanic citizens.

-- When I was Governor of Georgia, I appointed
judges on the basis of merit alone. One of my first
acts as President was to create Circuit Judge Nominating
Commissions to recommend candidates to me for all
appointments as Circuit Judges. I am pleased that many
Senators, including those from this state, have set up
similar commissions at the District Court level.

The passage of the Omnibus Judgeship Act, now
pending in House/Senate Conference, will provide a test
for the concept of merit selection. The conferees have

recently agreed that the President should set "standards and guidelines" governing selection of district judges, and I intend to use this authority to encourage establishment of more merit panels and to open the selection process.

The passage of the Act -- which will create 152 ^a judgeships -- offers/unique opportunity to make our judiciary more fully representative of our population.

Of the 525 Federal judges, only 20 are black or Hispanic, and only 6 are women. ^{which} The Federal bench in Southern

California ^{has become more} ~~is perhaps the most~~ ^{This is not} representative, ~~in the~~

I see elsewhere in the

nation. I am amending my Executive Order on the Circuit

Judge Nominating Commission specifically to require special efforts to identify qualified minority and female candidates.

~~This is an area where the bar has a special~~
~~responsibility.~~ During too many of the struggles for

equal justice in our lifetimes -- the questions of

one man-one vote, voting rights for blacks, representation

for indigent clients, and others -- much of the organized

in opposed these efforts.

bar sat on the sidelines. In today's struggle for women's

rights, the passage of the ERA, and the full participation

and minorities

of women, at all levels of our society, ~~I applaud the~~

~~actions you have already taken, and I hope you will~~ *lawyers*

throughout the country will follow the actions
~~lead the way.~~

your bar association has already taken.

The third challenge is suggested by the American

Bar Association's theme for this year -- "Access to Justice."

~~You know that~~ *T*oo often the amount of justice a person

~~can get~~ depends on the amount he or she can pay. Access

to justice must not depend on economic status, and it

must not be thwarted by arbitrary procedural rules.

Overcoming procedural barriers means that groups with distinct interests to defend -- in civil rights, economic questions, environmental causes, and others -- must be able to defend them fully. We are supporting efforts to broaden the use of class action and to expand the definitions of standing to sue. My Administration supports bills before Congress that would empower citizens to participate in the proceedings of Federal agencies -- a right that has too often been reserved to the large corporations ^{which} ~~who~~ have the resources to express their ^{view} ~~view~~ forcefully.

We must remove the economic barriers to justice as well. When a poor family is cheated by a merchant, unfairly threatened with eviction, falsely accused of a crime, it can very rarely take advantage of ~~the~~ skilled legal talent at reasonable rates. In the City of New York

there are 35,000 lawyers -- one for every 200 people. ✓

But only a handful of those lawyers are available for service to the city's one million poor -- one for every five thousand poor people. That is why we have expanded the Legal Services Corporation; in Fiscal Year 1979, its budget will be more than twice as large as it was when my Administration took office. ✓

But adequate legal help is often beyond the reach of most of the middle class as well. Here too I believe the bar has an obligation to accommodate those with modest incomes. Free and open competition is the best way to bring legal services within the reach of average citizens. Another solution, which my Administration supports, is the expansion of pre-paid legal plans, legal clinics, and other low cost alternatives, such as those pioneered by the United Auto Workers.

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I also ask that lawyers join the effort to stop inflation by following the example we have asked of

every other group in our society and decelerating the

rise in fees. *Attorneys, doctors, accountants and other professionals have the same responsibility to assist in our efforts to keep a lid on inflation as do businesses and labor.*

One of the greatest failings of the organized bar

in the century since the American Bar Association was

founded is that it has ~~often~~ fought innovations, ~~such as pre-~~

~~paid legal services.~~ When greater competition has come

to the legal profession, when no-fault systems have been

adopted, when lawyers have begun to advertise, ~~when~~

~~minimum fee schedules have been eliminated~~ -- in short,

when the profession has accommodated the interests of

the public -- it has done so only when forced to.

Constructive work is now underway, and as this second

century of the ABA begins, the people of this country

are beginning to see leadership from the bar.

our fourth

But as we make litigation more accessible, ~~we~~
challenge is to *adversary*
~~must also~~ make the legal system less necessary for
the daily lives of most Americans -- and more efficient
when it must be used. By resorting to litigation at the
drop of a hat, by regarding ~~the~~ the adversary system as an
end in itself, we have made justice more cumbersome, more
expensive, and less equal than it ought to be.

This is a phenomenon more and more widely
recognized among members of the bar.

A Delays in our courts because of excessive litigation
interminable
are matched by the ~~excessive~~ delays in many Federal
regulatory agencies. *A*

One answer, ~~of course~~, is to be sure that other
pathways to justice do exist.

Many suggestions have already been made for making litigation less necessary, and my Administration will work with the bar to implement them:

-- In the great majority of cases, there is no sound reason for a lawyer to be involved in land transfers or title searches. Simplified procedures and use of modern computer technology can save consumers needless legal fees.

-- We must eliminate from our judicial system cases which can be resolved in other ways. No-fault auto insurance systems, adopted by many states, are a step in the right direction; national standards for no-fault will have a much greater impact. We support no-fault divorce laws, like those in Georgia and in California, ^{can} that ~~are~~ reduce litigation and the bitterness it brings. We must look for ways to reduce the tremendous burden of medical malpractice costs.

A-A from 22 August

-- The past ten years have seen an explosion of regulatory activity, as our government has struggled with serious environmental, social and economic problems.

In trying to solve society's problems, our regulators have ~~too often forgotten that a basic premise of our society is voluntary compliance with the law.~~ Instead, they have proposed unnecessarily detailed specifications, and written regulations in the kind of gobbledygook that could employ a generation of law school graduates to interpret.

I have pledged to reduce the regulatory burden on American citizens, and we have taken some first steps toward change. A few weeks ago, I signed an Executive Order which requires that heads of departments and agencies personally approve the regulatory agendas of their organizations; that regulations be gone over

rigorously in "sunset" reviews; that they are simply written; and that they are the most cost effective rules possible.

Where the free market place can do a better job than regulations -- as in the setting of airline fares -- I will work hard to deregulate the industry, and to encourage free and effective competition.

-- We must also find a way to remove the vested interest in over-litigation and delay. ~~For every dollar a corporation pays for legal fees, fifty cents is paid by the public, since legal fees are tax deductible.~~ Last year corporations spent \$24 billion on legal services -- ~~and the \$12 billion that came out of other taxpayers' pockets is six~~ ^{TWELVE} times as much as we spent on all Federal, state and local courts. We must ask whether this is

the right way to conserve our legal resources or to ensure justice.

I am directing the Dept. of Justice to review the
-- ~~The~~ Pound Commission ~~has recently produced a~~ *suggestions*
~~number of suggestions~~ for reducing litigation -- including
more arbitration, greater reliance on small claims courts,
and experiments with alternative systems for resolving
disputes, such as the experimental arbitration systems
now being tested in San Francisco and in Philadelphia.

Even with all these steps, much litigation will still be necessary. There are a variety of steps we can take together to make necessary litigation more efficient and to reduce unnecessary delays:

-- I support legislation now in Congress to expand the functions and jurisdiction of Federal magistrates, to reduce the burden on ~~the~~ Federal judges.

I support a -- ~~the~~ "Speedy Appeals Act" *to* ~~will~~ reduce the delay
between sentencing and appeal; and I have directed the
Department of Justice to study whether we can *also* apply
~~similar standards and~~ *strict* time limits to civil trials and
~~the~~ regulatory proceedings.

Those of us -- Presidents and lawyers -- who enjoy
privilege, power and influence in our society can be
called to a harsh account for the ways we are using it.
Our hierarchy of privilege in this nation, based not
on birth but on occupation, tends to insulate some of us
from the problems faced by the average American. The
natural tendency for all of us is to ignore what does not
touch us directly. The natural temptation when dealing
with the law is to assume that whatever is legal is just.

But if our nation is to thrive, if we are to fulfill the promise of our founding fathers, if we are truly to serve the ends of justice, we must look beyond these comfortable insulations of privilege.

I have too much respect for the potential of the law to believe that this leadership is not possible.

→ I know you understand the responsibility to serve justice.

I hope that lawyers throughout the country will take up the challenges I have made today.

That responsibility is older than our Constitution, older than our Bill of Rights, older than the tradition of the Common Law.

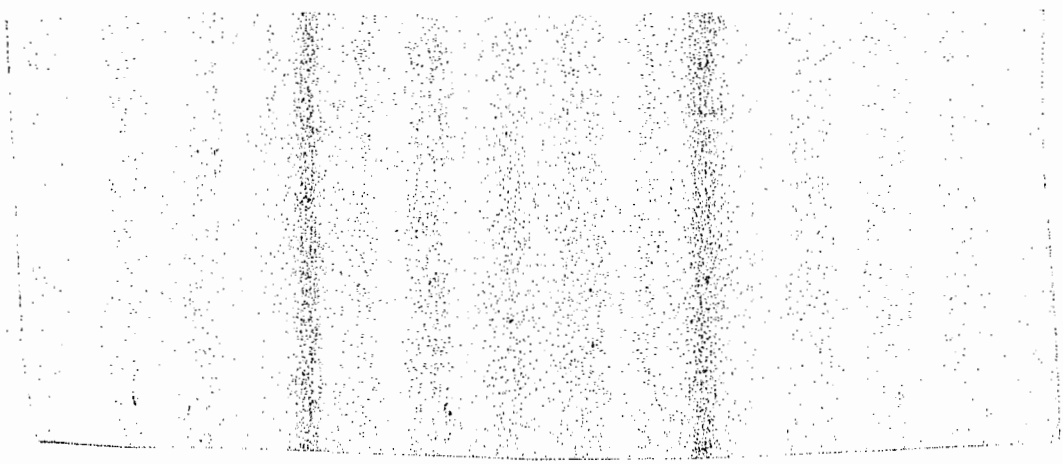
It comes from the roots of our Western heritage, with the prophet Amos, who said, "Let justice roll down like waters, and righteousness like an ever-flowing stream."

Illustrations Copy Made
for Presentation Purpose

JFallows:5/1/78
Third Draft

President Williams, President-elect Taylor,
distinguished members of the Los Angeles County Bar,
ladies and gentlemen:

I would like to begin with a quote ~~many of you are~~
~~familiar with~~, from a book published in 1852.



That quotation comes from Bleak House, and ^{although} ~~although~~
(who was a court reporter)
Charles Dickens, was writing about a chancery suit in London
~~was a court reporter and~~
long ago, he could have been writing about a modern anti-
trust suit in federal court. His subject was the same one
that should preoccupy us now -- ~~That subject is~~ how we can
be sure that our ~~laws, our lawyers, and our~~ legal system
serves the ends of justice.

I am not a lawyer, but there is no question that
has concerned me more throughout my adult life than that
of human justice. *How can we alleviate*

the inequalities, the unfairness, the chance differences
of fortune that always exist among people, *and help to ensure*
~~It means~~
~~striving to correct that unfairness wherever possible.~~

~~It means ensuring~~ that all people possess the basic
material and political rights they need for full participa-
tion in the life of their society. *did not provide simple justice*

you could
→
start
here

Community that, for a majority of our
I grew up in a ~~society that at times lacked justice,~~
citizens
because of the divisions of privilege between those who

owned land and those who did not, the divisions of power
the political system
between those who controlled ~~their communities~~ and those
by it,
who were controlled, the wall of discrimination that

As a governor and
separated blacks and whites. ~~One of the moral teachings~~
as President I have seen that learned that
~~I take most seriously is Reinhold Niebuhr's statement that~~

"it is the sad duty of politics to establish justice in a

-3-

" *I am trying*
sinful world. ~~As President I have tried~~ to carry our
nation's message of ^{basic} justice and human rights to other
nations. ~~I am encouraged by our success.~~

But I know that we cannot speak without hypocrisy
of human rights in other countries unless we are doing
our utmost to protect the rights of our ^{own} people, ~~and I am~~ *Justice is part of my human rights theme,*
here at home.
~~worried about simple justice here at home.~~

Let me tell you about some of the things that concern
me.

[pause]

* On the last day of the administration of Lyndon

Johnson, the government filed an anti-trust suit against
~~a major corporation.~~ *computer manufacturer*
[IBM] Nine years have passed; three new Administrations have

taken office; hundreds of millions of dollars have been
spent on legal fees. But still the trial is not ^{nearly} ~~even half~~
both sides fear that
over, and the judge who has supervised it for the last nine
years ~~has said that he is afraid he~~ ^{or retire} may die before the trial
is completed, in which case it would start all over again.

No computer now being sold was in existence when
the case began. A previous case involving telephone
patents took thirty years.

I am worried about a legal system in which expensive
talent, ^{on both sides} produces interminable delay -- especially when
delay itself ^{can} often mean victory for one side.

Justice should not be forced to obey the timetables
of those who seek to avoid it.

[pause]

^{inspected}
* I have ~~seen~~ many of the prisons of our nation, and
I know that nearly all ^{inmates} ~~the men and women inside them~~ are
drawn from the ranks of the powerless and the poor. A
child of privilege ^{almost always} ~~often~~ receives the benefit of the doubt;
a child of poverty seldom does. ^{In many} ~~[I have seen]~~ courts where
plea-bargaining serves the convenience of the judge and
^{I know that 90% of all criminal cases are}
lawyers, not the ends of justice. [^] ~~[I know that our system~~
~~of trial and imprisonment too often serves the same justice~~
~~as our draft did during the war in vietnam, when those who~~
~~could not get in to college or find a way to escape did~~
~~the fighting for the rest of us.]~~

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* We have in this country the heaviest concentration of lawyers on earth -- one for every 500 Americans. That is three times more than in England, four times more than in Germany, 21 times more than in Japan. We have more litigation, but I am not sure we have more justice. ~~I say plainly to you that~~ No resource of talent and training in our society, not even medical care, is more wastefully or unfairly distributed than legal skills. Ninety per cent of our lawyers serve ten per cent of our people. We are over-lawyered, and under-represented.

Excessive litigation is encouraged. Non-Contested
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~~because of the excesses of an adversary legal system that automobile insurance is opposed. Medical malpractice claims skyrocket.~~
~~often loses sight of justice.~~ Mahatma Gandhi, who was himself a very successful lawyer, said of his profession that "lawyers will as a rule advance quarrels rather than

repressing them." We do not serve justice when we ~~and~~ ^{encourage}

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and some were considered outcastes. ~~Other lawyers~~
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None of us would change our system of laws and

justice for any other in the world. From the beginning,

~~it cloaked each participant with Constitutional protections,~~

~~and~~ made the citizens the masters of the State, ~~and~~ it

has extended increasing protections to the poor and the

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-MORE-

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many of our advances toward racial integration, protection
of the people against government abuse have been made ~~by~~
~~through the courts.~~ ^{Members of} ~~lawyers, through lawsuits.~~ ^e ~~Your own country bar association~~
^{have} ~~(has) been a national leader in these efforts.~~

But let me mention briefly ~~the~~ four areas where ~~±~~
^{you may} ~~believe the law must~~ do more in order to serve justice:

-- in making criminal justice fairer, faster,
more sensible, and more certain;

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impartiality, honesty, and fairness;

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-- ~~and~~ in reducing our over-reliance on litigation,
and speeding up those cases that are litigated.

Our starting point in ensuring justice is ^{*improve the criminal*} to reduce ^{*justice*}
crime ^{*system*} through measures that are effective ^{*and*} but are fair.
~~to all.~~

There was encouraging progress in this direction last
year, when the volume of ^{*serious*} crime fell by four per cent below
its 1976 level. As the first significant drop ^{*in several years*} since 1972,

it is a welcome development, but it does not change the
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States and local governments must always take the lead in
this effort, but the Federal government will do its part:

We can
-- ~~We support efforts to~~ streamline the Federal

criminal code, which now contains many provisions which

overlap, duplicate one another, are inconsistent, and need

updating. These efforts have been underway for twelve

years; now, with the leadership of Senator ^{Eastland and} Kennedy, they

have passed the Senate. ^{I hope} We ~~urge~~ ^{will} the House ~~to~~ pass them

(as well.) this year.

~~reorganizing~~ We can reorganize
-- In the eight years since it was founded, the

Law Enforcement Assistance Administration has distributed

~~more than \$6 billion -- but too much of that money has~~

~~been misdirected, ineffective, or simply wasted.~~ ^{The Attorney General} Soon I

~~is working to~~
~~will proposed, along with several members of Congress~~ ^{a to develop}

~~major reorganization of the LEAA, including the establish-~~ ^{a structured}

~~ment of a National Institute of Justice,~~ ^{leave in parentheses} to ensure that

our funding system is geared to our most pressing needs,

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criminal justice system by removing such crimes as
drunkenness and vagrancy from the courts, thereby
freeing the courts to deal with serious offenses and
enabling us to treat these social illnesses in ways
that offer a greater hope of success.

~~Decriminalizing marijuana
would also be a step
in this direction.~~

We can
-- ~~I support the Senate's efforts~~ [through S. 1437,]
to create uniform sentencing standards for Federal offenses,
which will make the punishment for crimes both ^{rational} [flexible]
and fair. [and will help ensure that the rich and ← str
poor are treated alike.]

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consumers of millions of dollars; public officials who
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their acts. Justice must be blind to rank, power, and

position. *[The Justice Department is undertaking a
major new effort on white collar crime. ~~It~~ ^{can review} ~~SA~~]*

-- ~~I have asked~~ The Justice Department ^{can review} ~~to study~~

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incarceration, such as station-house citations, super-

vised release, work-release programs, and other

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-13-

-- One of the most important steps we can take to restore public confidence in our system of justice is to assure that government decisions are thoroughly impartial, and that personal interests and influence have no part. ~~At the beginning of my Administration,~~ I required ^{major} all appointees, as a condition of accepting office, to disclose their personal financial interests. I also required them to pledge that, after their term of public service is over, they would forbear all contacts with their ^{former} agency for one year.

-- Last year I ^{proposed} (introduced) legislation to make these standards a permanent part of the law. In its current form, this ethics legislation would extend similar standards to the legislative and judicial branches. It has already passed the Senate and cleared the Rules Committee in the House. I ^{hope} urge the full House ^{will} to act ^{without delay}.

She wants
cut.

[-- As another guarantee of the permanent integrity of our government, I have endorsed pending bills to authorize judicial appointment of special prosecutors to handle cases against high-ranking officials. This legislation has also passed the Senate and is making good progress in the House.]

I supported

-- Last week the House passed a bill[^] requiring that those organizations which do significant lobbying of Congress^{to} disclose their activities to the public. Although lobbying is a constitutionally protected activity, the American people have a right to know what major forces are affecting the legislative process. I hope the Senate will follow the lead of the House and pass a lobby reform bill, ~~[which requires organizations to report on their grass roots lobbying efforts, such as mass mailing campaigns, and which require the disclosure of financial contributions from other organizations.]~~

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-- Law enforcement agencies must set a clear example in their respect for the law. Recently, as the number of illegal /undocumented/ aliens has grown, there has been a disturbing trend ^{which your own bar association has studied,} toward routine police harrassment of our Mexican-American citizens. ~~A~~

Last month, the Justice Department intervened in one such case in Texas, where three policemen had been convicted in the death of a Mexican American prisoner, Joe Campos Torres. In filing for a review of the one-year jail terms given to the men, the Department said that "the public perception of inequality and the belief that the life of a Mexican-American citizen has little value can only do damage to respect for the laws and belief in justice."

Harrassment must stop, and my Administration will do what is necessary to see that it does. ~~Legislation I have~~

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We have

legislation

submitted to Congress will help stop the massive flow

of illegal immigration while fully protecting the rights

of our Hispanic citizens.

-- When I was governor of Georgia, I appointed judges on the basis of merit alone. One of my first

acts as President was to create a Circuit Judge Nominating

Commission^s to recommend candidates to me for ^{all} appointments

as Circuit Judges. I am pleased that many Senators have

including those from this state,

set up similar commissions at the District Court level.

The passage of the Omnibus Judgeship Act, now pending in House/Senate Conference, will provide a test for the concept of merit selection. The conferees have recently

agreed that the President should set "standards and guide-

lines" ^{*governing selection of*} ~~encouraging the appointment of more women and minorities or~~ ^{*and*} governing selection of district judges, and I intend

to use this authority to encourage establishment of more

merit panels and generally to open the selection process.

The passage of the Act -- which will create 152
judgeships -- offers ^{unique} an opportunity to make our judiciary
more fully representative of our population. Of the 525

federal judges, only 20 are black or Hispanic, and only 6

are women. ^{The federal level in ~~this area~~ Southern California is perhaps} I am amending my Executive Order on the Circuit

Judge Nominating Commission specifically to require special

efforts to identify qualified minority and female candidates.

the
most
representa-
tive
in
the
nation.

~~My staff is contacting the Senate to emphasize my personal
commitment to this goal in the District Courts as well.~~

This is an area where the bar has a special responsi-
bility. During too many of the struggles for equal justice
in our lifetimes -- the questions of one man-one vote,
voting rights for blacks, representation for indigent clients,
and others -- ^{much of} the organized bar sat on the sidelines. In
today's struggle for women's rights, the passage of the ERA,
and the full participation of women at all levels of our
society, I ^{applaud the actions you have ^{already} taken,} hope you will lead the way.

~~continue to~~

The third challenge is suggested by the American Bar Association's theme for this year -- "Access to Justice."

You know that too often the amount of justice a person

can get depends on the amount he ^{or she} can pay. Access to

justice must not depend on economic status, and it must not be thwarted by arbitrary procedural rules.

Overcoming procedural barriers means that groups with distinct interests to defend -- in civil rights, economic questions, environmental causes, and others --

must be able to defend them fully. ~~[The Justice Department~~

^{we are supporting efforts to}
~~is considering]~~ broadening the use of class action techniques

and ^{to} expanding the definitions of standing to sue. My

Administration supports bills before Congress that would

empower citizens to participate in the proceedings of

federal agencies -- a right that has too often been reserved

to ~~[the targets of regulation]~~ the large corporations who have

the resources to express their view forcefully.

We must remove the economic barriers to justice as well. When a poor family is cheated by a merchant, unfairly threatened with eviction, falsely accused of a crime, it can very rarely take advantage of the skilled legal talent at reasonable rates. In the city of New York there are 35,000 lawyers -- one for every 200 people.

[Get figures for LA]

But only a handful of those lawyers are available for service to the city's one million poor -- ~~or~~ one for every five thousand poor people. That is why we have expanded the Legal Services Corporation; in fiscal year 1979, its budget will be more than twice as large as it was when my administration took office.

An expanded legal services program will serve 2.7 million poor people -- but more than twice that number will still be without legal representation. I believe

[Could ^{advisably} shorten this section to say that we need subsidized help for the poor and more competition and free verbiage for middle class]

the bar has a moral obligation to serve those people --

by voluntarily ^{encouraging} [it being] your members ^{to devote their} [in] time ~~or~~ money]

by offering grants for legal projects that help the poor,

by setting standards for community service work. Several

local bar associations, including your own ~~(2)~~, have

taken the lead in this work; I urge others to follow.

But adequate legal help is often beyond the reach
of most of the middle class as well. ~~Here~~ ^{to} I believe

the bar has an obligation to ~~adjust its fee scale to~~

^{Free and open competition is the most best way to}
accommodate those with modest incomes. I also ask that

lawyers ~~help bring their services within the reach of~~

~~average citizens, and join the effort to stop inflation by~~

following the example we have asked of every other group

^{I "decelerating" I}
in our society and ~~holding down~~ the rise in fees.

bring legal
services
within the
reach
of
average
citizens.

Another solution, which my Administration supports,

^{legal clinics, and other low}
is the expansion of pre-paid legal plans, such as those ^{cost}

pioneered by the United Auto Workers. ^{alternatives.}

The lawyers don't like this

One of the greatest failings of the organized bar in the century since the American Bar Association was founded is that it has fought innovations such as pre-paid legal services, ~~every step of the way~~. When greater competition has come to the legal profession, when no-fault systems have been adopted, when lawyers have begun to advertise, when minimum fee schedules have been eliminated -- in short, when the profession has accommodated the interests of the public -- it has done so only when *the constructive work is now underway, and as* ~~absolutely~~ forced to. *As this second century of the ABA* begins, the people of this country, *are beginning to see* ~~expect~~ leadership *[not* ~~selfish obstructionism]~~ from the bar.

But as we make litigation more accessible, we must also make the legal system less necessary for the daily lives of most Americans -- and more efficient when it must be used. By resorting to litigation at the drop of

a hat, by regarding the adversary system as an end in itself, we have made justice more cumbersome, more expensive, and less equal than it ought to be.

This is a phenomenon more and more widely recognized *members of* among the bar. ~~One of the nation's most distinguished judges, Shirley Hufstедler, recently said, "It must be seriously questioned whether litigation is a desirable means of attacking many of our social ills. . . . Resort to litigation to effect social change has developed, not because it is the best way to achieve justice, but because it has been the only way that is perceived to exist."~~

~~St~~ *Delays in our courts because of excessive litigation are matched by the extended delays in many federal regulatory agencies. /Section to come illustrating grotesque delays./*

One answer, of course, is to be sure that other pathways to justice do exist. ~~I am convinced that if our nation's lawyers spent one tenth of the time and talent~~

~~devising alternatives to litigation as they now do
planning litigation, we could work a revolution in our
system of justice.~~

Many suggestions have already been made for making litigation less necessary, and my Administration will work with the bar to implement them:

-- In the great majority of cases, there is no sound reason for a lawyer to be involved in land transfers or title searches. Simplified procedures and use of modern computer technology can save consumers needless legal fees.

-- We must eliminate from our judicial system cases which can be resolved in other ways. No-fault auto insurance systems, adopted by many states, are a step in the right direction; national standards for no-fault will

have a much greater impact. We support ^{no-fault} divorce laws, like those in ^{Georgia and in} California ~~etc~~ that reduce litigation, and the

bitterness it brings, ~~[by allowing many cases to be handled~~
^{We must} ~~without lawyers.]~~ ^{I call upon the organized bar to look for ways} ~~[There must be ways]~~ to reduce the tremendous burden of medical malpractice costs. ~~[by using the no-fault standard.]~~

-- ~~We must also change one of our basic attitudes~~
~~in the way we do our public business.~~ The past ten years have seen an explosion of regulatory activity, as our government has struggled with serious environmental, social and economic problems. ~~The complexity of our society has been more than matched by the complicated nature of regulations, until it seems that we cannot turn around without consulting an attorney.~~

In trying to solve society's problems, our regulators have too often forgotten that a basic premise of our society

is voluntary compliance with the law. Instead, they have proposed unnecessarily detailed specifications, ~~called for more and more inspectors,~~ and written regulations in the kind of gobbledygook that could employ a generation of law school graduates to interpret.

I have pledged to reduce the regulatory burden on ~~the American taxpayer,~~ ^{Citizens} and we have taken some first steps toward change. A few weeks ago, I signed an Executive Order ~~aimed at improving both the management and the content of~~ ^{which} ~~regulations.~~ The Order [^] requires that heads of departments and agencies personally approve the regulatory agendas of their organizations; that regulations be gone over rigorously in "sunset" reviews ^{are simply written} and that they ~~be analyzed carefully~~ ^{and} ~~to make sure~~ ^{that} ~~[if they are newer]~~ they are the most cost effective rules ~~that are~~ possible.

~~[Where regulations are essential to advance us toward the goals of a clearer environment, safer jobs, social~~

~~justice or better protection for consumers, the regula-~~
~~tions must be developed in the least burdensome way.~~

~~But~~ Where the free market place can do a better
job than regulation ~~I support de-regulation~~ -- as in the setting of airline

fares -- I will work hard to deregulate the industry, and ~~to~~
~~bring~~ *encourage free and effective* competition ~~to bear on the problem.~~

-- We must also find a way to remove the vested
interest in over-litigation and delay. For every dollar
a corporation pays for legal fees, fifty cents is paid
by the public, since legal fees are tax-deductible. Last
year corporations spent \$24 billion on legal services --
and the \$12 billion that came out of other taxpayer's
pockets is six times as much as we spent on all federal,
state, and local courts. We must ask whether this is
the right way to conserve our legal resources, or to ensure
justice.

-- The Pound Commission has recently produced a number of suggestions for reducing litigation -- including

more arbitration, greater reliance on small claims courts,

~~the increased use of federal magistrates,~~
and experiments with alternative systems for resolving

such as the experimental arbitration systems
disputes. My Administration supports the concept of Neighbor-
now being tested in San Francisco and in Philadelphia.
~~hood Justice Centers, and has established three of them~~

~~including the one in Los Angeles that your bar association~~

sponsors. ~~We will also work with the Congress to provide~~
one
~~\$18 million to expand the small claims court system, to~~
for new, inexpensive ways of resolving small disputes including

~~make justice available for people who don't have the time~~
~~or money to go to court.~~

Even with all these steps, much litigation will still
be necessary. There are a variety of steps we can take to-
gether to ^{necessary} make litigation more efficient and ^{to} reduce unnecessary
delays:

I support legislation now
-- ~~My Administration supports a Magistrate's Bill,~~ *in Congress*

to expand the functions and jurisdiction of ~~the~~ federal

^{to}
magistrates ~~and~~ reduce the burden on the federal judges.

-- We support changes in diversity jurisdiction that will remove many cases from the federal courts.

(-- The Omnibus Judgeship Act will expand the federal judiciary by 25 per cent and reduce the backlog in our courts.)

Repeat

(-- Modern systems of case assignment, record-keeping and use of computers can cut the time it takes to prepare for and try a case.)

-- ~~We support~~ ^A "Speedy Appeals Act," which will reduce the delay between sentencing and appeal; and I have directed the Department of Justice to study whether we can apply similar standards and time limits to civil trials. *Also - and to regulatory proceedings.*

Let me mention a specific, contemporary case in which many of the issues I have discussed are being put to the test -- the efforts to reduce the complexity of our income tax code. The defects of that code are no accident.

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Its clauses and exemptions were placed there by lawyers hired by the interests who benefit from complexity. The code does not represent the interests of the average man and woman, who cannot take advantage of the provisions and pays the price for those who can. We are trying to reform that code -- and the opposition is being led by lawyers. [The responsible lawyer knows in his heart that this is an indictment of his profession.]

Lawyers don't like →

Stu
didn't
like

~~My tone today has been harsh. But it is harsh for~~
a reason. → ~~Those of us, who enjoy privilege, and power, in~~ -- Presidents and lawyers -- and influence
our society can be called to a harsh account for the ways
that we are using it. Our hierarchy of privilege in this
nation, based not on birth but on occupation, tends to
insulate ^{some of us} the privileged from the problems ^{faced by} the average
American ~~faces~~. The natural tendency for all of us is to
ignore what does not touch us directly. The natural tempta-
tion when dealing with the law is to assume that whatever
is legal is just.

But if our nation is to ^{thrive} ~~cohere~~, if we are to fulfill
the promise of our founding ^{fathers}, if we are truly to serve
the ends of justice, we must look beyond these comfortable
insulations of privilege.

I have too much respect for the potential of the
law to believe that ^{this} ~~that kind of~~ leadership is ^{not possible.} ~~beyond it.~~

^{know}
I ~~believe~~ you understand the responsibility to serve
justice.

That responsibility is older than our Constitution,
older than our Bill of Rights, older than the tradition
of the Common Law.

It comes from the roots of our Western heritage,
with the prophet Amos, who said, "Let justice roll down
like waters, and righteousness like an ever-flowing
stream."

#

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— THE WHITE HOUSE
WASHINGTON
April 25, 1978

MEMORANDUM TO THE PRESIDENT

FROM: JIM FALLOWS *JF*

SUBJECT: Justice Speech/Your Call to the Chief Justice

You said at the end of yesterday's meeting that you wanted to talk with Chief Justice Burger about his ideas for judicial reform. The purpose of this memo is (1) to tell you about the proposals the Chief Justice has been making, (2) to list some of the suggestions we have gotten from other sources, and (3) to ask for further guidance.

In the last four or five years, the Chief Justice has made two main complaints about the court system: first, that the courts have too much work to do, and second, that too few of the lawyers who practice before the courts possess the skills they need. (You may remember the news stories last summer, when the Chief Justice told the ABA Convention that only half the trial lawyers were competent.)

To the extent that Burger's complaint about the courts' workload reflects a general feeling that litigation has gotten out of hand, it has won some widespread support. But two of his proposed solutions are very controversial:

- 1) He has proposed creating a National Court of Appeals, which would sit between the various Circuit Courts and the Supreme Court and screen out cases before they got to the Supreme Court. This has caused a controversy within the profession about altering the original purpose of the Court, etc.
- 2) He has already gone far toward reducing the Supreme Court's workload by restricting "class action" suits, denying "standing to sue" to environmental and consumer groups, and taking other steps to reduce the sort of social-action litigation that became so common in the 1960s. His approach here has been bitterly opposed by the civil rights, environmental, and consumer groups, who feel that it denies them the one avenue they have for protecting their rights.

Several of Burger's other proposals have been received with less contention:

1) He has proposed a number of mechanical, administrative improvements in the way courts do their work; for example, he was the first man to introduce copying machines (rather than carbon paper, which often become illegible by the time the 9th Justice received his copy) to the Supreme Court. He is proud of his proposals for a National Judicial Center, a National Center for the State Courts, and other ways to improve the management of the courts.

2) He wants to reduce one time-consuming burden on the Federal district courts by eliminating the "diversity jurisdiction" they have when, say, a driver from Georgia crashes into someone from Missouri in Texas.

3) Philosophically, he argues constantly for returning political decisions to the Congress and the Executive Branch, where he says they belong, rather than passing them off to the courts. The best current example is nuclear energy; the "experts" in the courts are being forced to make fundamental political decisions that state legislatures, state executives, and the federal government prefer to avoid.

4) In urging higher standards for trial lawyers, he is making the same point that Nader, Charles Morgan, the people from Common Cause, and others have made -- that the legal system is now arranged for the convenience of the lawyers rather than to ensure that justice is done to the client. When a public defender is slipshod or ill-prepared, he is not the one who suffers.

The main way in which Burger's suggestions differ from the others we've heard -- and from the tone we think you should take -- is that his proposals for reducing the workload cut systematically against the poor, the weak, those who in the last decade have used the courts to make up for their lack of economic power. Class action suits are an obvious example; another important one is Burger's proposal that the Supreme Court not deal with the numerous "pauper's" petitions that now come in from the prisons. Some of the other Justices feel that these are an important way to keep in touch with the real world and to detect trends (such as the one that led to the Gideon case, which established every defendant's right to counsel), and that they don't really consume much time. That is the sort of burden Burger wants to remove.

What Nader suggests is that you balance two points: first, that our system must give people -- especially the poor and weak -- an opportunity to express their interests, through class action suits, the ability to represent themselves before federal agencies, broader standing to sue, etc; but, second, that we need to reduce much of the litigation and complexity whose only purpose is to defend the interests of the powerful and entrenched (the complexity of the tax code is the prime example). He, Morgan, and others agree on the crucial point that the system now works for the convenience and the interests of the lawyers, not for the convenience of the public or the interests of justice. That is what we must change.

All of us working on this speech agree wholeheartedly with your desire to make it like the Law Day speech four years ago. I would like very much to take ten minutes of your time after you have spoken with the Chief Justice to be sure I understand the points you want to make, and to ask you for guidance on some of the additional suggestions we have received.

THE WHITE HOUSE

WASHINGTON

April 28, 1978

MEMORANDUM TO THE PRESIDENT

FROM: JIM FALLOWS *JF*

SUBJECT: Justice Speech

Here is a first ^{*myL*} draft of the speech. I based it on extensive talks and voluminous information from Stu, Jane Frank, Doug Huron, the reorganization project, and others, but they have not yet had a chance to go over this draft carefully. I suggested that if they have fundamental objections or comments they give you their annotated copies separately, since we have not had time to produce a consensus draft.

You'll see that the tone is fairly tough. One constant theme from every outside person I talked with was that you should sound as challenging to the profession as you did four years ago in Georgia. I think it makes both political and policy sense to take this kind of approach.

As you asked, I am attaching a brief summary of the suggestions I received from John Gardner, Ralph Nader, Jack Greenberg, Senator Kennedy, and Charles Morgan.

PRESIDENT JIMMY CARTER

MAY 4, 1978

LOS ANGELES Co. BAR ASSO.

GOU BROWN, MAYOR BRADLEY,

PRESIDENT WILLIAMS, PRESIDENT-ELECT TAYLOR,

DISTINGUISHED MEMBERS OF THE LOS ANGELES COUNTY BAR,

LADIES AND GENTLEMEN:

CONGRATS. on your 100th ANNIVERSARY

I WOULD LIKE TO BEGIN WITH A QUOTE FROM A BOOK

PUBLISHED IN 1852.

"JARNDYCE AND JARNDYCE DRONES ON. THIS SCARECROW
OF A SUIT HAS, IN COURSE OF TIME, BECOME SO COMPLICATED
THAT NO MAN ALIVE KNOWS WHAT IT MEANS. . . .

"INNUMERABLE CHILDREN HAVE BEEN BORN INTO THE CASE,
INNUMERABLE OLD PEOPLE HAVE DIED OUT OF IT. . . . WHOLE
FAMILIES HAVE INHERITED LEGENDARY HATREDS WITH THE SUIT.

--"THERE ARE NOT THREE JARNDYCES . . ."

"THERE ARE NOT THREE JARNDYCES LEFT UPON THE EARTH
PERHAPS SINCE OLD TOM JARNDYCE IN DESPAIR BLEW HIS BRAINS
OUT AT A COFFEE-HOUSE IN CHANCERY LANE; BUT JARNDYCE AND
JARNDYCE STILL DRAWS ITS DREARY LENGTH BEFORE THE COURT,...."

THIS QUOTATION COMES FROM BLEAK HOUSE, AND ALTHOUGH
CHARLES DICKENS WAS WRITING ABOUT A CHANCERY SUIT IN LONDON
LONG AGO, HE COULD HAVE BEEN WRITING ABOUT A MODERN ANTITRUST
SUIT IN FEDERAL COURT.

HIS SUBJECT WAS THE SAME ONE THAT SHOULD PREOCCUPY
US NOW -- INSURING THAT OUR LEGAL SYSTEM SERVES THE ENDS
OF JUSTICE, *WITHOUT DELAY.*

I AM NOT A LAWYER, BUT THERE IS NO QUESTION THAT
HAS CONCERNED ME MORE THROUGHOUT MY ADULT LIFE THAN THAT OF
HUMAN JUSTICE -- STRIVING TO ALLEVIATE THE INEQUALITIES,
THE UNFAIRNESS, THE CHANCE DIFFERENCES OF FORTUNE THAT
EXIST AMONG PEOPLE,AND TO HELP ENSURE THAT ALL PEOPLE
POSSESS THE BASIC MATERIAL AND POLITICAL RIGHTS THEY NEED
FOR FULL PARTICIPATION IN THE LIFE OF OUR SOCIETY.

I GREW UP IN A COMMUNITY THAT OFTEN DID NOT PROVIDE
SIMPLE JUSTICE FOR A MAJORITY OF OUR CITIZENS BECAUSE OF
THE DIVISIONS OF PRIVILEGE BETWEEN THOSE WHO OWNED LAND
AND THOSE WHO DID NOT,THE DIVISIONS OF POWER BETWEEN
THOSE WHO CONTROLLED THE POLITICAL SYSTEM AND THOSE WHO
WERE CONTROLLED BY IT,THE WALL OF DISCRIMINATION THAT
SEPARATED BLACKS AND WHITES.

AS A GOVERNOR AND AS PRESIDENT I HAVE LEARNED THAT,
AS REINHOLD NEIHBUR SAID, "IT IS THE SAD DUTY OF POLITICS
TO ESTABLISH JUSTICE IN A SINFUL WORLD."

I AM TRYING TO CARRY OUR NATION'S MESSAGE OF BASIC
JUSTICE AND HUMAN RIGHTS TO OTHER NATIONS.

BUT I KNOW THAT WE CANNOT SPEAK OF HUMAN RIGHTS IN
OTHER COUNTRIES UNLESS WE ARE DOING OUR UTMOST TO PROTECT
THE RIGHTS OF OUR OWN PEOPLE HERE AT HOME.

LET ME TELL YOU ABOUT SOME OF THE THINGS THAT CONCERN
ME.

** ON THE LAST DAY OF THE ADMINISTRATION OF LYNDON
JOHNSON, THE GOVERNMENT FILED AN ANTITRUST SUIT AGAINST
A MAJOR COMPUTER COMPANY.

NINE YEARS HAVE PASSED; THREE NEW ADMINISTRATIONS
HAVE TAKEN OFFICE; HUNDREDS OF MILLIONS OF DOLLARS HAVE BEEN
SPENT ON LEGAL FEES.

BUT STILL THE TRIAL IS NOT NEARLY OVER, AND IT HAS
BEEN SPECULATED THAT THE JUDGE WHO HAS SUPERVISED IT FOR
THE LAST NINE YEARS MAY DIE OR RETIRE BEFORE THE TRIAL IS
COMPLETED, IN WHICH CASE IT WOULD START ALL OVER AGAIN.

GENERATIONS OF COMPUTERS HAVE COME AND GONE -- BUT
STILL THE CASE GOES ON.

I AM WORRIED ABOUT A LEGAL SYSTEM IN WHICH EXPENSIVE
TALENT ON BOTH SIDES PRODUCES INTERMINABLE DELAY --
ESPECIALLY WHEN DELAY ITSELF CAN OFTEN MEAN VICTORY FOR
ONE SIDE.

JUSTICE SHOULD NOT BE FORCED TO OBEY THE TIMETABLES
OF THOSE WHO SEEK TO AVOID IT.

AS A PUBLIC OFFICIAL

** I HAVE INSPECTED MANY PRISONS AND I KNOW THAT
NEARLY ALL INMATES ARE DRAWN FROM THE RANKS OF THE
POWERLESS AND THE POOR.

A CHILD OF PRIVILEGE FREQUENTLY RECEIVES THE BENEFIT
OF THE DOUBT; A CHILD OF POVERTY SELDOM DOES.

IN MANY COURTS PLEA-BARGAINING SERVES THE CONVENIENCE
OF THE JUDGE AND LAWYERS, NOT THE ENDS OF JUSTICE, BECAUSE
THE COURTS LACK THE TIME TO GIVE EVERYONE A FAIR TRIAL.

** WE HAVE THE HEAVIEST CONCENTRATION OF LAWYERS
ON EARTH -- ONE FOR EVERY 500 AMERICANS.

THAT IS THREE TIMES MORE THAN IN ENGLAND,....
FOUR TIMES MORE THAN IN GERMANY,....21 TIMES MORE THAN IN
JAPAN.

WE HAVE MORE LITIGATION; BUT I AM NOT SURE WE HAVE
MORE JUSTICE.

NO RESOURCES OF TALENT AND TRAINING IN OUR SOCIETY,
NOT EVEN MEDICAL CARE, IS MORE WASTEFULLY OR UNFAIRLY
DISTRIBUTED THAN LEGAL SKILLS.

NINETY PERCENT OF OUR LAWYERS SERVE TEN PERCENT OF
OUR PEOPLE.

WE ARE OVER-LAWYERED, AND UNDER-REPRESENTED.

**** EXCESSIVE LITIGATION AND LEGAL FEATHERBEDDING**
IS ENCOURAGED.

NON-CONTESTED DIVORCES BECOME MAJOR LEGAL
CONFRONTATIONS.

COMPLETE TITLE SEARCHES ON THE SAME PROPERTY
ARE UNNECESSARILY REPEATED WITH EACH SALE.

ROUTINE CAR ACCIDENT CASES CLOG OUR COURTS
WHILE NO-FAULT AUTOMOBILE INSURANCE IS OPPOSED.

THE NUMBER OF MEDICAL MALPRACTICE CASES SKYROCKET.

MAHATMA GANDHI, WHO WAS HIMSELF A VERY SUCCESSFUL
LAWYER, SAID OF HIS PROFESSION THAT "LAWYERS WILL AS A RULE
ADVANCE QUARRELS RATHER THAN REPRESS THEM."

--WE DO NOT SERVE JUSTICE WHEN WE . . .

WE DO NOT SERVE JUSTICE WHEN WE ENCOURAGE DISPUTES
IN OUR SOCIETY, RATHER THAN RESOLVING THEM.

** IN MY OWN REGION OF THE COUNTRY, LAWYERS OF GREAT
INFLUENCE AND PRESTIGE LED THE FIGHT AGAINST CIVIL RIGHTS
AND ECONOMIC JUSTICE.

THEY WERE PAID LAVISH FEES BY THEIR STATES AND
HEAPED WITH HONORS FOR THEIR EFFORTS.

THEY KNEW ALL THE MANEUVERS, AND FOR TOO LONG
THEY KEPT THE PROMISES OF THE CONSTITUTION FROM COMING
TRUE.

THE BASIC RIGHT TO VOTE, TO HOLD A JOB, TO BUY A
HOME, TO BE INFORMED OF ONE'S RIGHTS WHEN ARRESTED, TO HAVE
LEGAL COUNSEL IF AN INDIGENT -- THESE RIGHTS HAVE BEEN DENIED
FOR GENERATIONS, AND ARE BEING RECENTLY WON ONLY AFTER
INTENSE STRUGGLE.

I THINK ABOUT THESE THINGS WHEN I COME TO SPEAK WITH
YOU.

WHAT I THINK ABOUT MOST IS THE ENORMOUS POTENTIAL
FOR GOOD WITHIN THE LEGAL PROFESSION, AND HOW OFTEN THAT
POTENTIAL IS NOT USED.

MORE THAN ANY OTHER NATION, OURS WAS CREATED OUT OF
RESPECT FOR THE LAW.

WE HAD THE FIRST WRITTEN CONSTITUTION; WE PROCLAIMED
OURSELVES A GOVERNMENT OF LAWS, NOT OF MEN; WE PUT OUR FAITH
IN INTERPRETATIONS OF THE LAWS TO RESOLVE OUR MOST BASIC
DISPUTES.

NONE OF US WOULD CHANGE OUR SYSTEM OF LAWS AND
JUSTICE FOR ANY OTHER IN THE WORLD.

FROM THE BEGINNING, IT MADE THE CITIZENS THE MASTERS
OF THE STATE, AND IT HAS EXTENDED INCREASING PROTECTION TO
THE POOR AND THE VICTIMS OF DISCRIMINATION.

IT IS BECAUSE OF THE ENORMOUS POWER OF THE LAW,
AND OF THE POSITION OF GREAT INFLUENCE AND PRIVILEGE WHICH
LAWYERS OCCUPY WITHIN OUR SOCIETY, THAT LAWYERS BEAR SUCH
A HEAVY OBLIGATION TO SERVE THE ENDS OF TRUE JUSTICE.

I KNOW THAT YOU UNDERSTAND THESE OBLIGATIONS.

DURING THE LAST GENERATION, MANY OF OUR MOST IMPORTANT
ADVANCES TOWARD RACIAL INTEGRATION AND PROTECTION OF OUR
PEOPLE AGAINST GOVERNMENT ABUSE HAVE BEEN MADE THROUGH THE
COURTS.

BUT LET ME MENTION BRIEFLY FOUR CHALLENGES WE ALL
SHOULD FACE IN ORDER TO IMPROVE JUSTICE IN AMERICA:

-- FIRST, IN MAKING CRIMINAL JUSTICE FAIRER, FASTER,
MORE SENSIBLE, AND MORE CERTAIN;

-- SECOND, IN HOLDING THE LAW TO THE HIGHEST STANDARDS
OF IMPARTIALITY, HONESTY, AND FAIRNESS;

-- THIRD, IN ENSURING THAT ACCESS TO THE LEGAL SYSTEM
DOES NOT DEPEND ON POLITICAL INFLUENCE OR ECONOMIC POWER;
AND

-- FOURTH, IN REDUCING OUR OVER-RELIANCE ON LITIGATION,
AND SPEEDING UP THOSE CASES THAT ARE LITIGATED.

OUR STARTING POINT IN ENSURING JUSTICE IS TO REDUCE
CRIME THROUGH MEASURES THAT ARE EFFECTIVE AND FAIR.

THERE WAS ENCOURAGING PROGRESS IN THIS DIRECTION
LAST YEAR, WHEN THE VOLUME OF CRIME FELL FOUR PERCENT
BELOW ITS 1976 LEVEL.

AS THE FIRST SIGNIFICANT DROP IN SEVERAL YEARS, IT
IS A WELCOME DEVELOPMENT, BUT IT DOES NOT CHANGE THE URGENT
NEED TO CONTROL CRIME.

--STATES AND LOCAL GOVERNMENTS . . .

STATES AND LOCAL GOVERNMENTS MUST TAKE THE LEAD
IN THIS EFFORT, BUT THE FEDERAL GOVERNMENT MUST DO ITS
PART:

-- WE SHOULD STREAMLINE THE FEDERAL CRIMINAL CODE,
WHICH NOW CONTAINS MANY PROVISIONS WHICH OVERLAP, DUPLICATE
ONE ANOTHER, ARE INCONSISTENT, AND NEED UPDATING.

WITH THE LEADERSHIP OF SENATORS EASTLAND AND KENNEDY
AND THE LATE SENATOR McCLELLAN, A 12-YEAR EFFORT RECENTLY
CULMINATED IN SENATE PASSAGE OF A NEW CRIMINAL ACT.

I HOPE THE HOUSE WILL PASS IT THIS YEAR.

-- WE ARE WORKING WITH CONGRESSIONAL LEADERS TO
REORGANIZE THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
TO GEAR OUR FUNDING SYSTEM TO OUR MOST PRESSING NEEDS,....
TO PROVIDE BETTER SUPPORT TO STATE AND LOCAL GOVERNMENTS,....
AND TO CONCENTRATE OUR HELP ON IMPROVING THE CRIMINAL
JUSTICE SYSTEM AND REDUCING CRIME.

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I WILL ALSO PROPOSE A CONSOLIDATION AND REORGANIZATION
OF MANY OF THE FUNCTIONS ^{now} PERFORMED, BY MORE THAN 100 FEDERAL
AGENCIES THAT NOW HAVE RESPONSIBILITY FOR LAW ENFORCEMENT.

-- WE CAN REDUCE THE TREMENDOUS OVERLOAD ON OUR
CRIMINAL JUSTICE SYSTEM BY REMOVING SUCH CRIMES AS
DRUNKENNESS AND VAGRANCY FROM THE COURTS, THEREBY
FREEING THE COURTS TO DEAL WITH SERIOUS OFFENSES AND
ENABLING US TO TREAT THESE SOCIAL ILLNESSES IN WAYS THAT
OFFER A GREATER HOPE OF SUCCESS.

-- I AM SUPPORTING UNIFORM SENTENCING STANDARDS
FOR FEDERAL OFFENSES, WHICH WILL MAKE THE PUNISHMENT FOR
CRIMES MORE RATIONAL AND FAIR AND WILL HELP ENSURE THAT
THE RICH AND POOR ARE TREATED ALIKE.

--POWERFUL WHITE-COLLAR CRIMINALS . . .

-- POWERFUL WHITE-COLLAR CRIMINALS CHEAT CONSUMERS
OF MILLIONS OF DOLLARS; PUBLIC OFFICIALS WHO ABUSE THEIR
HIGH RANK DAMAGE THE INTEGRITY OF OUR NATION IN PROFOUND
AND LONG-LASTING WAYS.

BUT TOO OFTEN THESE BIG-SHOT CROOKS ESCAPE THE
FULL CONSEQUENCES OF THEIR ACTS.

JUSTICE MUST BE BLIND TO RANK, POWER, AND POSITION.

THE JUSTICE DEPARTMENT IS UNDERTAKING A MAJOR NEW
EFFORT ON WHITE-COLLAR CRIME.

-- I HAVE DIRECTED THE JUSTICE DEPARTMENT TO REVIEW
OUR PRISON POLICY, AND PROPOSE ALTERNATIVES TO INCARCERATION,
SUCH AS STATION-HOUSE CITATIONS, SUPERVISED RELEASE, WORK-
RELEASE PROGRAMS, AND OTHER COMMUNITY-BASED FACILITIES.

I URGE JUDGES AND LAWYERS TO USE THEIR ENORMOUS
INFLUENCE TO MAKE THESE EFFORTS A SUCCESS.

*

*

*

OUR SECOND CHALLENGE IS TO SEE THAT OUR LEGAL
SYSTEM LIVES UP TO ITS NOBLEST TRADITION OF HONESTY AND
IMPARTIALITY, SO THAT ALL PEOPLE STAND EQUAL BEFORE THE
BAR OF JUSTICE.

-- ONE OF THE MOST IMPORTANT STEPS WE CAN TAKE TO
RESTORE PUBLIC CONFIDENCE IN OUR SYSTEM OF JUSTICE IS TO
ASSURE THAT GOVERNMENT DECISIONS ARE THOROUGHLY IMPARTIAL,
AND THAT PERSONAL INTERESTS AND INFLUENCE HAVE NO PART.

I HAVE REQUIRED ALL MAJOR APPOINTEES, AS A
CONDITION OF ACCEPTING OFFICE, TO DISCLOSE THEIR PERSONAL
FINANCIAL INTERESTS.

I HAVE ALSO REQUIRED THEM TO PLEDGE THAT, AFTER
THEIR TERM OF PUBLIC SERVICE IS OVER, THEY WOULD FOREGO
ALL CONTACTS WITH THEIR FORMER AGENCY FOR ONE YEAR.

-- LAST YEAR I PROPOSED LEGISLATION . . .

-- LAST YEAR I PROPOSED LEGISLATION TO MAKE THESE
STANDARDS A PERMANENT PART OF THE LAW.

IN ITS CURRENT FORM, THIS ETHICS LEGISLATION WOULD
EXTEND SIMILAR STANDARDS TO THE LEGISLATIVE AND JUDICIAL BRANCHES.

IT HAS ALREADY PASSED THE SENATE AND CLEARED THE
RULES COMMITTEE IN THE HOUSE.

I HOPE THE FULL HOUSE WILL ACT WITHOUT DELAY.

-- LAST WEEK THE HOUSE PASSED A BILL I SUPPORTED
REQUIRING THOSE ORGANIZATIONS WHICH DO SIGNIFICANT
LOBBYING OF CONGRESS TO DISCLOSE THEIR ACTIVITIES TO THE
PUBLIC.

ALTHOUGH LOBBYING IS A CONSTITUTIONALLY PROTECTED
ACTIVITY, THE AMERICAN PEOPLE HAVE A RIGHT TO KNOW WHAT
MAJOR FORCES ARE AFFECTING THE LEGISLATIVE PROCESS.

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IT IS TIME FOR
~~I HOPE~~ ^{TO} THE SENATE ~~WILL~~ FOLLOW THE LEAD OF THE HOUSE
AND PASS A LOBBY REFORM BILL.

LAW ENFORCEMENT AGENCIES MUST SET A CLEAR EXAMPLE
IN THEIR RESPECT FOR THE LAW.

RECENTLY, AS THE NUMBER OF UNDOCUMENTED ALIENS HAS
GROWN, THERE HAS BEEN A DISTURBING TREND TOWARD ROUTINE
POLICE HARRASSMENT OF OUR MEXICAN-AMERICAN CITIZENS.

I KNOW YOUR BAR ASSOCIATION HAS STUDIED THIS PROBLEM.

LAST MONTH, THE JUSTICE DEPARTMENT INTERVENED IN A
HARRASSMENT CASE IN TEXAS, WHERE THREE POLICEMEN HAD BEEN
CONVICTED IN THE DEATH OF A MEXICAN-AMERICAN PRISONER.

--IN FILING FOR A REVIEW . . .

IN FILING FOR A REVIEW OF THE ONE-YEAR JAIL TERMS
CONVICTED
GIVEN TO THE MEN, THE DEPARTMENT SAID THAT "THE PUBLIC
PERCEPTION OF INEQUALITY AND THE BELIEF THAT THE LIFE OF A
MEXICAN-AMERICAN CITIZEN HAS LITTLE VALUE CAN ONLY DO DAMAGE
TO RESPECT FOR THE LAWS AND BELIEF IN JUSTICE."

THIS KIND OF
1 HARRASSMENT MUST STOP, AND MY ADMINISTRATION WILL
DO WHAT IT CAN TO SEE THAT IT DOES.

MOREOVER, WE HAVE SUBMITTED LEGISLATION TO CONGRESS
WHICH WILL HELP STOP THE FLOW OF ILLEGAL IMMIGRATION WHILE
FULLY PROTECTING THE RIGHTS OF OUR HISPANIC CITIZENS.

-- WHEN I WAS GOVERNOR OF GEORGIA, I APPOINTED
JUDGES ON THE BASIS OF MERIT ALONE.

ONE OF MY FIRST ACTS AS PRESIDENT WAS TO CREATE
CIRCUIT JUDGE NOMINATING COMMISSIONS TO RECOMMEND CANDIDATES
TO ME FOR ALL APPOINTMENTS AS CIRCUIT JUDGES.

I AM PLEASED THAT MANY SENATORS, INCLUDING THOSE FROM
THIS STATE, HAVE ^{now} SET UP SIMILAR COMMISSIONS AT THE DISTRICT
COURT LEVEL.

THE PASSAGE OF THE OMNIBUS JUDGESHIP ACT, NOW PENDING
IN HOUSE/SENATE CONFERENCE, WILL PROVIDE A TEST FOR THE
CONCEPT OF MERIT SELECTION.

THE CONFEREES HAVE RECENTLY AGREED THAT THE
PRESIDENT SHOULD SET "STANDARDS AND GUIDELINES" GOVERNING
SELECTION OF DISTRICT JUDGES, AND I INTEND TO USE THIS
AUTHORITY TO ENCOURAGE ESTABLISHMENT OF MORE MERIT PANELS
AND TO OPEN THE SELECTION PROCESS.

THE PASSAGE OF THE ACT -- WHICH WILL CREATE 152 JUDGESHIPS--
OFFERS A UNIQUE OPPORTUNITY TO MAKE OUR JUDICIARY MORE FULLY
REPRESENTATIVE OF OUR POPULATION.

OF THE 525 FEDERAL JUDGES, ONLY 20 ARE BLACK OR
HISPANIC, AND ONLY 6 ARE WOMEN.

WHILE THE FEDERAL BENCH IN SOUTHERN CALIFORNIA HAS
BECOME MORE REPRESENTATIVE, THIS IS NOT TRUE ELSEWHERE IN
THE NATION.

~~I AM AMENDING~~ MY EXECUTIVE ORDER ON THE CIRCUIT JUDGE
NOMINATING COMMISSION SPECIFICALLY, ^{WILL} ~~TO~~ REQUIRE SPECIAL EFFORTS
TO IDENTIFY QUALIFIED MINORITY AND FEMALE CANDIDATES.

DURING TOO MANY OF THE STRUGGLES FOR EQUAL JUSTICE
IN OUR LIFETIMES -- THE QUESTIONS OF ONE MAN-ONE VOTE,
VOTING RIGHTS FOR BLACKS, REPRESENTATION FOR INDIGENT CLIENTS,
AND OTHERS -- MUCH OF THE ORGANIZED BAR SAT ON THE SIDELINES
OR OPPOSED THESE EFFORTS.

IN TODAY'S STRUGGLE FOR WOMEN'S RIGHTS, THE PASSAGE
OF THE ERA, AND THE FULL PARTICIPATION OF WOMEN AND MINORITIES
AT ALL LEVELS OF OUR SOCIETY, I HOPE LAWYERS THROUGHOUT THE
COUNTRY WILL FOLLOW THE ACTIONS YOUR BAR ASSOCIATION
HAS ALREADY TAKEN.

THE THIRD CHALLENGE IS SUGGESTED BY THE AMERICAN
BAR ASSOCIATION'S THEME FOR THIS YEAR -- "ACCESS TO JUSTICE."

TOO OFTEN THE AMOUNT OF JUSTICE A PERSON GETS DEPENDS
ON THE AMOUNT HE OR SHE CAN PAY.

ACCESS TO JUSTICE MUST NOT DEPEND ON ECONOMIC STATUS,
AND IT MUST NOT BE THWARTED BY ARBITRARY PROCEDURAL RULES.

OVERCOMING PROCEDURAL BARRIERS MEANS THAT GROUPS
WITH DISTINCT INTERESTS TO DEFEND -- IN CIVIL RIGHTS, ECONOMIC
QUESTIONS, ENVIRONMENTAL CAUSES, AND OTHERS -- MUST BE
ABLE TO DEFEND THEM FULLY.

WE ARE SUPPORTING EFFORTS TO BROADEN THE USE OF
CLASS ACTION AND TO EXPAND THE DEFINITIONS OF STANDING TO
SUE.

MY ADMINISTRATION SUPPORTS BILLS BEFORE CONGRESS THAT
WOULD EMPOWER CITIZENS TO PARTICIPATE IN THE PROCEEDINGS
OF FEDERAL AGENCIES -- A RIGHT THAT HAS TOO OFTEN BEEN RESERVED
TO THE LARGE CORPORATIONS WHICH HAVE THE RESOURCES TO EXPRESS
THEIR VIEW FORCEFULLY.

WE MUST REMOVE THE ECONOMIC BARRIERS TO JUSTICE AS WELL.

WHEN A POOR FAMILY IS CHEATED BY A MERCHANT, UNFAIRLY
THREATENED WITH EVICTION, FALSELY ACCUSED OF A CRIME, IT CAN
VERY RARELY TAKE ADVANTAGE OF SKILLED LEGAL TALENT AT
REASONABLE RATES.

IN THE CITY OF NEW YORK THERE ARE 35,000 LAWYERS --
ONE FOR EVERY 200 PEOPLE.

BUT ONLY A HANDFULL OF THOSE LAWYERS ARE AVAILABLE
FOR SERVICE TO THE CITY'S ONE MILLION POOR -- ONE FOR EVERY
FIVE THOUSAND POOR PEOPLE.

THAT IS WHY WE HAVE EXPANDED THE LEGAL SERVICES
CORPORATION;.....IN FISCAL YEAR 1979, ITS BUDGET WILL BE
MORE THAN TWICE AS LARGE AS IT WAS WHEN MY ADMINISTRATION
TOOK OFFICE.

BUT ADEQUATE LEGAL HELP IS OFTEN BEYOND THE REACH
OF MOST OF THE MIDDLE CLASS AS WELL.

HERE TOO I BELIEVE THE BAR HAS AN OBLIGATION TO
ACCOMMODATE THOSE WITH MODEST INCOMES.

--FREE AND OPEN COMPETITION IS THE . . .

FREE AND OPEN COMPETITION IS THE BEST WAY TO BRING
LEGAL SERVICES WITHIN THE REACH OF AVERAGE CITIZENS.

ANOTHER SOLUTION, WHICH MY ADMINISTRATION SUPPORTS,
IS THE EXPANSION OF PRE-PAID LEGAL PLANS, LEGAL CLINICS,
AND OTHER LOW-COST ALTERNATIVES, SUCH AS THOSE PIONEERED BY
THE UNITED AUTO WORKERS.

*VENICE - MARJISTA
NEIGHBORHOOD JUSTICE CENTER*

I ALSO ASK THAT LAWYERS JOIN THE EFFORT TO STOP
INFLATION BY FOLLOWING THE EXAMPLE WE HAVE ASKED OF
EVERY OTHER GROUP IN OUR SOCIETY AND DECELERATING THE
RISE IN FEES.

*How CAN WE ASK WORKING MEN &
WOMEN ~ UNLESS*

*INFLATION
FIGURES
ANNOUNCED
THIS
MORNING*

ATTORNEYS, DOCTORS, ACCOUNTANTS AND OTHER PROFESSIONALS
ASSUME
HAVE THE SAME RESPONSIBILITY TO ASSIST IN OUR EFFORTS TO
KEEP A LID ON INFLATION AS DO BUSINESSES AND LABOR.

ONE OF THE GREATEST FAILINGS OF THE ORGANIZED BAR
IN THE CENTURY SINCE THE AMERICAN BAR ASSOCIATION WAS
FOUNDED IS THAT IT HAS FOUGHT INNOVATIONS.

WHEN GREATER COMPETITION HAS COME TO THE LEGAL
PROFESSION, WHEN NO-FAULT SYSTEMS HAVE BEEN ADOPTED, WHEN
LAWYERS HAVE BEGUN TO ADVERTISE -- IN SHORT, WHEN THE
PROFESSION HAS ACCOMMODATED THE INTERESTS OF THE PUBLIC --
IT HAS DONE SO ONLY WHEN FORCED TO.

CONSTRUCTIVE WORK IS NOW UNDERWAY, AND AS THIS
SECOND CENTURY OF THE ABA BEGINS, THE PEOPLE OF THIS
COUNTRY ARE BEGINNING TO SEE LEADERSHIP FROM THE BAR.

BUT AS WE MAKE LITIGATION MORE ACCESSIBLE, OUR
FOURTH CHALLENGE IS TO MAKE THE ADVERSARY SYSTEM LESS
NECESSARY FOR THE DAILY LIVES OF MOST AMERICANS -- AND
MORE EFFICIENT WHEN IT MUST BE USED.

--BY RESORTING TO LITIGATION . . .

BY RESORTING TO LITIGATION AT THE DROP OF A HAT,
BY REGARDING THE ADVERSARY SYSTEM AS AN END IN ITSELF,
WE HAVE MADE JUSTICE MORE CUMBERSOME, MORE EXPENSIVE,
AND LESS EQUAL THAN IT OUGHT TO BE.

THIS IS A PHENOMENON MORE AND MORE WIDELY
RECOGNIZED AMONG MEMBERS OF THE BAR.

ONE ANSWER IS TO BE SURE THAT OTHER PATHWAYS TO
JUSTICE DO EXIST.

MANY SUGGESTIONS HAVE ALREADY BEEN MADE FOR
MAKING LITIGATION LESS NECESSARY, AND MY ADMINISTRATION
WILL WORK WITH THE BAR TO IMPLEMENT THEM:

A NUMBER
-- IN ~~THE~~ GREAT MAJORITY OF CASES, THERE IS NO
SOUND REASON FOR A LAWYER TO BE INVOLVED IN LAND
TRANSFERS OR TITLE SEARCHES.

SIMPLIFIED PROCEDURES AND USE OF MODERN COMPUTER
TECHNOLOGY CAN SAVE CONSUMERS NEEDLESS LEGAL FEES.

-- WE MUST ELIMINATE FROM OUR JUDICIAL SYSTEM
CASES WHICH CAN BE RESOLVED IN OTHER WAYS.

NO-FAULT AUTO INSURANCE SYSTEMS, ADOPTED BY
MANY STATES, ARE A STEP IN THE RIGHT DIRECTION;....
NATIONAL STANDARDS FOR NO-FAULT WILL HAVE A MUCH GREATER
IMPACT.

WE SUPPORT NO-FAULT DIVORCE LAWS, LIKE THOSE
IN GEORGIA AND IN CALIFORNIA, THAT CAN REDUCE LITIGATION
AND THE BITTERNESS IT BRINGS.

WE MUST LOOK FOR WAYS TO REDUCE THE TREMENDOUS
BURDEN OF MEDICAL MALPRACTICE COSTS.

DELAYS IN OUR COURTS BECAUSE OF EXCESSIVE
LITIGATION ARE MATCHED BY THE INTERMINABLE DELAYS IN
MANY FEDERAL REGULATORY AGENCIES.

-- IN TRYING TO SOLVE SOCIETY'S . . .

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for Distribution Purposes
Hester Justice*

IN TRYING TO SOLVE SOCIETY'S PROBLEMS, OUR
REGULATORS HAVE PROPOSED UNNECESSARILY DETAILED
SPECIFICATIONS, AND WRITTEN REGULATIONS IN THE KIND
OF GOBBLEDYGOOK THAT COULD EMPLOY A GENERATION OF LAW
SCHOOL GRADUATES TO INTERPRET.

I HAVE PLEDGED TO REDUCE THE REGULATORY BURDEN
ON AMERICAN CITIZENS, AND WE HAVE TAKEN SOME FIRST STEPS
TOWARD CHANGE.

A FEW WEEKS AGO, I SIGNED AN EXECUTIVE ORDER
WHICH REQUIRES THAT HEADS OF DEPARTMENTS AND AGENCIES
PERSONALLY APPROVE THE REGULATORY AGENDAS OF THEIR
ORGANIZATIONS;....THAT REGULATIONS BE GONE OVER
RIGOROUSLY IN "SUNSET" REVIEWS;....THAT THEY ARE SIMPLY
WRITTEN;....AND THAT THEY ARE THE MOST COST-EFFECTIVE
RULES POSSIBLE.

WHERE THE FREE MARKETPLACE CAN DO A BETTER JOB
THAN REGULATIONS -- AS IN THE SETTING OF AIRLINE FARES --
I WILL WORK HARD TO DEREGULATE THE INDUSTRY, AND TO
ENCOURAGE FREE AND EFFECTIVE COMPETITION.

-- WE MUST ALSO FIND A WAY TO REMOVE THE VESTED
INTEREST IN OVER-LITIGATION AND DELAY.

LAST YEAR CORPORATIONS SPENT \$24 BILLION ON
LEGAL SERVICES -- TWELVE TIMES AS MUCH AS WE SPENT ON
ALL FEDERAL, STATE AND LOCAL COURTS.

WE MUST ASK WHETHER THIS IS THE RIGHT WAY
TO CONSERVE OUR LEGAL RESOURCES OR TO ENSURE JUSTICE.

--I AM DIRECTING THE DEPARTMENT OF JUSTICE . . .

WE ARE REVIEWING

-- I AM ~~DIRECTING THE DEPARTMENT OF JUSTICE TO~~
~~REVIEW THE~~ SUGGESTIONS FOR REDUCING LITIGATION -- INCLUDING
MORE ARBITRATION, GREATER RELIANCE ON SMALL CLAIMS COURTS,
AND EXPERIMENTS WITH ALTERNATIVE SYSTEMS FOR RESOLVING
DISPUTES, SUCH AS THE EXPERIMENTAL ARBITRATION SYSTEMS NOW
BEING TESTED IN SAN FRANCISCO AND IN PHILADELPHIA.

EVEN WITH ALL THESE STEPS, MUCH LITIGATION WILL
STILL BE NECESSARY.

THERE ARE A VARIETY OF STEPS WE CAN TAKE TOGETHER
TO MAKE NECESSARY LITIGATION MORE EFFICIENT AND TO REDUCE
UNNECESSARY DELAYS:

-- I SUPPORT LEGISLATION NOW IN CONGRESS TO EXPAND
THE FUNCTIONS AND JURISDICTION OF FEDERAL MAGISTRATES, TO
REDUCE THE BURDEN ON FEDERAL JUDGES.

-- I SUPPORT A SPEEDY APPEALS ACT TO REDUCE THE
DELAY BETWEEN SENTENCING AND APPEAL; AND I HAVE DIRECTED
THE DEPARTMENT OF JUSTICE TO STUDY WHETHER WE CAN ALSO
APPLY STRICT TIME LIMITS TO CIVIL TRIALS AND REGULATORY
PROCEEDINGS.

THOSE OF US -- PRESIDENTS AND LAWYERS -- WHO ENJOY
PRIVILEGE, POWER AND INFLUENCE IN OUR SOCIETY CAN BE
CALLED TO A HARSH ACCOUNT FOR THE WAYS WE ARE USING IT.

OUR HIERARCHY OF PRIVILEGE IN THIS NATION, BASED
NOT ON BIRTH BUT ON OCCUPATION, TENDS TO INSULATE SOME
OF US FROM THE PROBLEMS FACED BY THE AVERAGE AMERICAN.

THE NATURAL TENDENCY FOR ALL OF US IS TO IGNORE
WHAT DOES NOT TOUCH US DIRECTLY.

THE NATURAL TEMPTATION WHEN DEALING WITH THE LAW
IS TO ASSUME THAT WHATEVER IS LEGAL IS JUST.

--BUT IF OUR NATION IS TO THRIVE . . .

BUT IF OUR NATION IS TO THRIVE,....IF WE ARE TO
FULLILL THE PROMISE OF OUR FOUNDING FATHERS,....IF WE ARE
TRULY TO SERVE THE ENDS OF JUSTICE,....WE MUST LOOK BEYOND
THESE COMFORTABLE INSULATIONS OF PRIVILEGE.

I HAVE TOO MUCH RESPECT FOR THE POTENTIAL OF THE
LAW TO BELIEVE THAT THIS LEADERSHIP IS NOT POSSIBLE.

I HOPE THAT LAWYERS THROUGHOUT THE COUNTRY WILL
TAKE UP THE CHALLENGES I HAVE MADE TODAY.

I KNOW YOU UNDERSTAND THE RESPONSIBILITY TO SERVE
JUSTICE. *YOU HAVE DEDICATED YOUR*
LIVES TO THIS TASK.